



ILLINOIS HISTORICAL SURVEY

REVISED ORDINANCES

OF THE

CITY OF QUINCY, ILLINOIS:

AND THE

CITY CHARTER WITH THE AMENDMENTS THERETO.

AND

STATE LAWS RELATING TO THE CITY.

REVISED AND PUBLISHED BY AUTHORITY OF THE CITY COUNCIL,

Under the supervision of James M. Pitman, Mayor, and A. W. Blakesley, City Clerk.

QUINCY:

WM. M. AVISE & CO., PRINTERS.

1856.

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CITY CHARTER, WITH AMENDMENTS THERETO.

An Act to Incorporate the City of Quincy.

ARTICLE I.

OF BOUNDARIES AND GENERAL POWERS.

- SEC. 1. Body politic and corporate—name and style—common seal.
2. Boundaries of the City—amended 1855.
3. City to be divided into Wards.
4. Lands laid off and recorded to form a part of the City.
5. General power—may hold real and personal property, convey and improve the same.

SECTION 1. *Be it enacted by the people of the State of Illinois, represented in the general assembly,* That the inhabitants of the Town of Quincy, in the county of Adams, and State of Illinois, be, and they are hereby constituted a body politic and corporate, by the name and style of the City of Quincy ; and by that name shall have perpetual succession, and may have and use a common seal, which they may change and alter at pleasure.

SEC. 2. Amended by the act of January 17, 1855.

SEC. 3. The present Board of Trustees of the Town of Quincy shall, on or before the first day of March next divide the said City of Quincy into three Wards, as nearly equal in population as practicable, particularly describing the boundaries of each.

SEC. 4. Whenever any tract of land adjoining the City of Quincy shall have been laid off into town lots, and duly recorded as required by law, the same shall be annexed to, and form a part of the City of Quincy.

SEC. 5. The inhabitants of said City, by the name and style aforesaid, shall have power to sue and be sued, to implead and be impleaded, defend and be defended, in all courts of law and equity, and in all actions whatsoever ; to purchase, receive and hold property, real and personal, in said City ; to purchase,

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receive and hold property, both real and personal, beyond the City for burial grounds, or for other public purposes, for the use of the inhabitants of said city; to sell, lease, convey, or dispose of property, real and personal, for the benefit of the City; and to improve and protect such property, and to do all other things in relation thereto, as natural persons.

ARTICLE II.

OF THE CITY COUNCIL.

- SEC. 1. City Council.
- 2. Board of Aldermen to consist of two from each Ward.
- 3. Qualifications of Aldermen.
- 4. When office Alderman to be made vacant.
- 5. Divisions of Aldermen into classes by lot.
- 6. Returns and contests of members.
- 7. Quorum.
- 8. Rules of proceedings and expulsion of members.
- 9. Journal of City Council to be published.
- 10. Aldermen can hold no office in the City created while in office.
- 11. Vacancies—how filled.
- 12. Mayor and Aldermen to take an oath.
- 13. Mayor to determine election of Alderman in case of a tie.
- 14. Twelye stated meetings yearly.

SECTION 1. There shall be a City Council, to consist of a Mayor and Board of Aldermen.

SEC. 2. The Board of Aldermen shall consist of two members from each Ward, to be chosen by the qualified voters for two years.

SEC. 3. No person shall be an Alderman, unless at the time of his election he shall have resided six months within the limits of the City, and shall be, at the time of his election, twenty-one years of age, and a citizen of the United States.

SEC. 4. If any Alderman shall, after his election, remove from the Ward for which he is elected, or cease to be a freeholder in said City, his office shall thereby be vacated.

SEC. 5. At the first meeting of the City Council, the Aldermen shall be divided by lot into two classes; the seats of those of the first class shall be vacated at the expiration of the first

year, and of the second class at the expiration of the second year, so that one half of the Board shall be elected annually.

SEC. 6. The City Council shall judge of the qualifications, elections and returns of their own members, and shall determine all contested elections.

SEC. 7. A majority of the City Council shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and compel the attendance of absent members, under such penalties as may be prescribed by ordinance.

SEC. 8. The City Council shall have power to determine the rule of its proceedings, punish its members for disorderly conduct, and with the concurrence of two-thirds of the members elected, expel a member.

SEC. 9. The City Council shall keep a journal of its proceedings, and, from time to time, publish the same; and the yeas and nays, when demanded by any member present, shall be entered on the journal.

SEC. 10. No Alderman shall be appointed to any office under the authority of the City, which shall have been created, or the emoluments of which shall have been increased, during the time for which he shall have been elected.

SEC. 11. All vacancies that shall occur in the Board of Aldermen shall be filled by election.

SEC. 12. The Mayor and each Alderman, before entering upon the duties of their office, shall take and subscribe an oath, 'That they will support the Constitution of the United States, and of this State, and that they will well and truly perform the duties of their office to the best of their skill and abilities.'

SEC. 13. Whencever there shall be a tie in the election of Aldermen, the judges of election shall certify the same to the Mayor, who shall determine the same by lot, in such manner as shall be provided by ordinance.

SEC. 14. There shall be twelve stated meetings of the City Council in each year, at such times and places as may be prescribed by ordinance.

ARTICLE III.

OF THE CHIEF EXECUTIVE OFFICER.

- SEC. 1. Executive officer—his term.
- 2. Qualifications of Mayor.
- 3. When office of Mayor vacated. (See amendment to Charter, section 4.)
- 4. In cases of a tie for Mayor, Council to decide by lot.
- 5. Contested election of Mayor.
- 6. Vacancy in office of Mayor—how filled.

SECTION 1. The chief executive officer of the City shall be a Mayor, who shall be elected by the qualified voters of the City, and shall hold his office for one year, and until his successor shall be elected and qualified.

SEC. 2. No person shall be eligible to the office of Mayor, who shall not have been a resident of the City for one year next preceding his election, or who shall be under twenty-one years of age, or who shall not, at the time of his election, be a citizen of the United States.

SEC. 3. If any Mayor shall, during the time for which he shall have been elected, remove from the City, or shall cease to be a freeholder in said City, his office shall be vacated.

SEC. 4. When two or more persons shall have an equal number of votes for Mayor, the judges of election shall certify the same to the City Council, who shall proceed to determine the same by lot, in such manner as may be provided by ordinance.

SEC. 5. Whenever an election of Mayor shall be contested, the City Council shall determine the same, in such manner as may be prescribed by ordinance.

SEC. 6. Whenever any vacancy shall happen in the office of Mayor, it shall be filled by election.

ARTICLE IV.

OF ELECTIONS.

Sec. 1. Annual election of Mayor and Aldermen.

2. Resident inhabitants may vote for city officers—votes to be given in the wards where the elector resides. (See amendment to Charter, section 1.

SECTION 1. On the third Monday of April next, an election shall be held in each ward of said city, for one Mayor for the city, two Aldermen for each ward; and forever thereafter on the third Monday of April of each year, there shall be an election held for one Mayor for the city, and one Alderman for each ward. The first election for Mayor and Aldermen shall be held, conducted, and returns thereof made, as may be provided by ordinance of the present trustees of the town of Quincy.

Sec. 2. All free white male inhabitants over the age of twenty-one years, who are entitled to vote for State officers, and who shall have been actual residents of said city ninety days next preceding said election, shall be entitled to vote for City officers; *Provided*, that said voters shall give their votes for Mayor and Aldermen in the wards in which they respectively reside, and in no other, and that no vote shall be received at any of said elections, unless the person offering such vote shall have been an actual resident of the ward where the same is offered, at least ten days next preceding such election.

ARTICLE V.

OF THE LEGISLATIVE POWERS OF THE CITY COUNCIL.

Sec. 1. Assessment and collection of taxes—limitation thereof.

2. City council may appoint certain officers—amended 1855.

3. May require bonds of officers and oath of office, regulate common schools, and borrow money, subject to limitation.

4. Provide for paying debts of the city.

5. Make quarantine laws, &c.

6. Establish hospitals.

7. Regulate health, and declare nuisances.

8. To provide for watering the city.

9. Open and alter streets, &c.

10. Build bridges, &c.
11. Make and alter wards.
12. Light the city.
13. Establish a night watch.
14. Regulate markets.
15. Erect buildings for the city.
16. Improve, &c., public grounds.
17. Improve navigation of the Mississippi.
18. Erect, &c., wharves and docks.
19. Grant licenses.
20. Regulate carriages, wagons, carts and drays.
21. Regulate porters.
22. License shows.
23. Suppress disorderly houses.
24. Organize fire companies.
25. Regulate erection of wooden buildings.
26. " chimneys.
27. " storage of gun powder, &c.
28. " parapet walls and fences.
29. " weights and measures.
30. Provide for measurement of lumber, &c.
31. " weight of hay, &c.
32. " inspection of tobacco, &c.
33. Regulate inspection of provisions.
34. " weight of bread.
35. " size of brick.
36. Provide for taking census.
37. Regulate elections—remove officers.
38. Fix compensation of jurors, &c.
39. Regulate the police—impose and recover fines, &c.
40. Exclusive powers.
41. Make all necessary ordinances.
42. Style of ordinances.
43. Ordinances when to take effect.
44. " when evidence.

SECTION 1. The city council shall have power and authority to levy and collect taxes upon all property, real and personal, within the limits of the city, not exceeding one-half per cent. per annum, upon the assessed value thereof, and may enforce the payment of the same, in any manner to be prescribed by ordinance, not repugnant to the constitution of the United States and of this State.

SEC. 2. Amended by the act of February 15, 1855.

SEC. 3. The city council shall have power to require of all officers appointed in pursuance of this charter, bond with penalty and security, for the faithful performance of their respective duties, as may be deemed expedient; and also to require all officers appointed as aforesaid, to take an oath for the faithful performance of the duties of their respective offices, before entering upon the discharge of the same, to establish, support and regulate common schools; to borrow money on the credit of the city; *Provided*, that no sum or sums of money shall be borrowed at a greater interest than six per cent. per annum, nor shall the interest on the aggregate of all the sums borrowed and outstanding, ever exceed one-half of the city revenue, arising from taxes assessed on real property within the limits of the corporation.

SEC. 4. To appropriate money, and provide for the payment of the debt and expenses of the city.

SEC. 5. To make regulations to prevent the introduction of contagious diseases into the city, and to make quarantine laws for that purpose and enforce the same within five miles of the city.

SEC. 6. To establish hospitals, and make regulations for the government of the same.

SEC. 7. To make regulations to secure the general health of the inhabitants; to declare what shall be a nuisance, and to prevent and remove the same.

SEC. 8. To provide the city with water; to erect hydrants and pumps in the streets for the convenience of the inhabitants.

SEC. 9. To open, alter, abolish, widen, extend, establish, grade, pave, or otherwise improve and keep in repair, streets, lanes, avenues and alleys.

SEC. 10. To establish, erect and keep in repair bridges.

SEC. 11. To divide the city into wards, alter the boundaries thereto, and erect additional wards, as the occasion may require.

SEC. 12. To provide for lighting the streets, and erecting lamp posts.

SEC. 13. To establish, support and regulate night watches.

SEC. 14. To erect market houses, establish markets and market places, and provide for the government and regulation thereof.

SEC. 15. To provide for the erection of all needful buildings for the use of the city.

SEC. 16. To provide for enclosing improving and regulating all public grounds belonging to the city.

SEC. 17. To improve and preserve the navigation of the Mississippi, within the limits of the city.

SEC. 18. To erect, repair and regulate public wharves and docks; to regulate the erection and repair of private wharves and the rates of wharfage thereat.

SEC. 19. To license, tax and regulate auctioneers, merchants and retailers, groceries, taverns, ordinaries, hawkers, pedlers, brokers, pawn brokers and money changers.

SEC. 20. To license, tax and regulate hackney carriages, wagons, carts and drays; fix the rates to be charged for the carriage of persons, and for the wagonage, cartage and drayage of property.

SEC. 21. To license and regulate porters, and fix the rate of portage.

SEC. 22. To license, tax, and regulate theatrical and other exhibitions, shows and amusements.

SEC. 23. To tax, restrain, prohibit, and suppress tippling houses, dram shops, gaming houses, bawdy and other disorderly houses.

SEC. 24. To provide for the prevention and extinguishment of fires, and to organize and establish fire companies.

SEC. 25. To regulate or prohibit the erection of wooden buildings in any part of the city.

SEC. 26. To regulate the fixing of chimneys, and fix the flues thereof.

SEC. 27. To regulate the storage of gun powder, tar, pitch, rosin, and other combustible materials.

SEC. 28. To regulate and order parapet walls and partition fences.

SEC. 29. To establish standard weights and measures, and regulate the weights and measures to be used in the city, in all cases not otherwise provided for by law.

SEC. 30. To provide for the inspection and measurement of lumber and other building materials, and for the measurement of all kinds of mechanical work.

SEC. 31. To provide for the inspection and weighing of hay and stone coal, the measuring of charcoal, fire wood and other fuel to be sold or used within the city.

SEC. 32. To provide for and regulate the inspection of tobacco, beef, pork, flour, meal and whiskey, in barrels.

SEC. 33. To regulate the inspection of butter, lard and other provisions.

SEC. 34. To regulate the weight, quality and price of bread to be sold and used in the city.

SEC. 35. To regulate the size of brick to be sold or used in the city.

SEC. 36. To provide for taking enumerations of the inhabitants of the city.

SEC. 37. To regulate the election of city officers, and provide for removing from office any person holding an office created by ordinance.

SEC. 38. To fix the compensation of all city officers, and regulate the fees of jurors, witnesses and others, for services rendered under this act, or any ordinance.

SEC. 39. To regulate the police of the city; to impose fines, forfeitures and penalties for the breach of any ordinance, and provide for the recovery and appropriation of such fines and forfeitures, and the enforcement of such penalties.

SEC. 40. The city council shall have exclusive power within the city, by ordinance, to license, regulate and restrain the keeping of ferries, and to suppress and restrain billiard tables.

SEC. 41. The city council shall have power to make all ordinances, which shall be necessary and proper, for carrying into execution the powers specified in this act, so that such ordinances be not repugnant to, nor inconsistent with the constitution of the United States or of this State.

SEC. 42. The style of the ordinances of the city shall be, "*Be it ordained by the City Council of the City of Quincy.*"

SEC. 43. All ordinances passed by the city council shall, within one month after they shall have been passed, be published in some newspaper published in the city, and shall not be in force until they shall have been published as aforesaid.

SEC. 44. All ordinances of the city may be proven by the seal of the corporation, and when printed and published in book or pamphlet form, and purporting to be printed and published by authority of the corporation, the same shall be received in evidence in all courts and places without further proof.

ARTICLE VI.

OF THE MAYOR.

- SEC. 1. Shall have the casting vote—absence of—aldermen to choose a chairman.
2. Special meetings—how called.
 3. Duties of Mayor.
 4. May call aid to suppress riots—penalty for refusal to obey.
 5. May require officers to exhibit their books.
 6. Required to execute all ordinances.
 - 7 and 8. Repealed.
 9. Jurisdiction in quarantine and health affairs.
 10. Salary to be fixed by ordinance.
 11. May be indicted for violation of duty—fined, and on conviction removed from office.

SECTION 1. The Mayor shall preside at all meetings of the city council, and shall have a casting vote, and no other. In case of non-attendance of the Mayor at any meeting, the board of Aldermen shall appoint one of their own members chairman, who shall preside at the meeting.

SEC. 2: The Mayor, or any two Aldermen, may call special meetings of the city council.

SEC. 3. The Mayor shall at all times be active and vigilant in enforcing the laws and ordinances for the government of said city; he shall inspect the conduct of all subordinate officers of said city, and cause negligence and positive violation of

duty to be presented and punished; he shall, from time to time, communicate to the Aldermen such information, and recommend all such measures as in his opinion may tend to the improvement of the finances, the police, the health, security, comfort and ornament of the city.

SEC. 4. He is hereby authorized to call on every male inhabitant of said city, over the age of eighteen years, to aid in enforcing the laws and ordinances; and in case of riot, to call out the militia to aid him in suppressing the same, or in carrying into effect any law or ordinance; and any person who shall not obey such call, shall forfeit to the said city a fine not exceeding five dollars.

SEC. 5. He shall have power, whenever he may deem it necessary, to require of any officer of said city an exhibit of his books and papers.

SEC. 6. He shall have power to execute all acts that may be required of him by any ordinance made in pursuance of this act.

SEC. 7 and 8. Repealed.

SEC. 9. He shall also have such jurisdiction as may be vested in him by ordinance of the city, in and over all places within five miles of the boundaries of the city, for the purpose of enforcing the health and quarantine ordinances, and regulations thereof.

SEC. 10. And he shall receive for his services, such salary as shall be fixed by an ordinance of the city.

SEC. 11. In case the Mayor shall, at any time, be guilty of a palpable omission of duty, or shall willfully and corruptly be guilty of oppression, mal-conduct, or partiality in the discharge of the duties of his office, he shall be liable to be indicted in the circuit court of Adams county, and on conviction, he shall be fined not more than two hundred dollars, and the court shall have power, on the recommendation of the jury, to add to the judgment of the court, that he be removed from office.

ARTICLE VII.

PROCEEDINGS IN SPECIAL CASES.

Amended by the act of Feb. 27, 1847, and Jan. 17, 1855.

ARTICLE VIII.

MISCELLANEOUS PROVISIONS.

- SEC. 1. Inhabitants of Quincy not to labor on roads out of the city, or pay county tax, except for jail in Quincy; see amendment to charter, section 3.
2. Amended by the act of January 17, 1855.
 3. Offenders may be punished by imprisonment.
 4. Annual statements of receipts and expenditures to be published.
 5. Ordinances of town of Quincy in force until repealed.
 6. Suits—how brought.
 7. Fines, &c., accruing to trustees of town of Quincy, to be vested in the city.
 8. Property to be invested in the city.
 9. Charter not to invalidate any act of trustees.
 10. Trustees to promulgate this act, call election of officers, by publication of notice, &c.
 11. Appeals from decisions under ordinances allowed.
 12. In absence of Mayor, board to elect Mayor *pro tem.*
 13. Charter declared a public act.
 14. Certain acts repealed.
 15. City Marshal authorized to execute writs and other process issued by the Mayor in Adams county—his fees.
 16. Election for adoption of this charter—if majority should be against the adoption, charter to be void.

SECTION 1. The inhabitants of the city of Quincy are hereby exempted from working on any road beyond the limits of the city, and from paying any tax to procure laborers to work upon the same, and from any tax for county purposes, except for the completion of the county jail, now being erected in said city.

SEC. 2. Amended by the act of January 17, 1855.

SEC. 3. The city council shall have power to provide for the punishment of offenders, by imprisonment in the county or city jail, in all cases where such offenders shall fail or refuse to pay the fines and forfeitures which may be recovered against them.

SEC. 4. The city council shall cause to be published, annually, a full and complete statement of all moneys received and

expended by the corporation during the preceding year, and on what account received and expended.

SEC. 5. All ordinances and resolutions passed by the president and trustees of the town of Quincy, shall remain in force until the same shall have been repealed by the city council hereby created.

SEC. 6. All suits, actions and prosecutions instituted, commenced or brought by the corporation hereby created, shall be instituted, commenced and prosecuted in the name of the city of Quincy.

SEC. 7. All actions, fines and forfeitures which have accrued to the president and trustees of the town of Quincy, shall be vested in, and presented by, the corporation hereby created.

SEC. 8. All property, real and personal, heretofore belonging to "the president and trustees of the town of Quincy," for the use of the inhabitants of said town, shall be and the same is hereby declared to be vested in the corporation hereby created.

SEC. 9. This charter shall not invalidate any act done by "the president and trustees of the town of Quincy," nor divest them of any right which may have accrued to them prior to the passage of this act.

SEC. 10. "The president and trustees of the town of Quincy" shall, immediately after the passage of this act, take measures to promulgate this law within the limits of the city of Quincy, and issue their proclamation for the election of officers, and cause the same to be published in all the newspapers in said city, for four weeks in succession, prior to the day of election for said city officers.

SEC. 11. Appeals shall be allowed from all decisions in all cases arising under the provisions of this act, or any ordinance passed in pursuance thereof, to the circuit court of Adams county; and every such appeal shall be taken and granted in the same manner and with like effect as appeals are taken from and granted by justices of the peace to the circuit court, under the laws of this State.

SEC. 12. Whenever the Mayor shall absent himself from the city, or shall resign, or die, or his office shall be otherwise va-

cated, the board of Aldermen shall immediately proceed to elect one of their number president who shall be Mayor *pro tem.*

SEC. 13. This act is hereby declared to be a public act, and may be read in evidence in all courts of law and equity in this State, without proof.

SEC. 14. All acts, or parts of acts, coming within the provisions of this charter, that are contrary to or inconsistent with its provisions, are hereby repealed.

SEC. 15. The city Marshal, or any other officer authorized to execute writs or other process issued by the Mayor, shall have power to execute the same anywhere within the limits of Adams county, and shall be entitled to the same fees for traveling as are allowed to constables in similar cases.

SEC. 16. The president and trustees of the town of Quincy shall cause an election to be held in said town, on the third Wednesday in March next, at which the inhabitants of said town who are authorized to vote for State officers, shall vote for or against the adoption of this charter; and if a majority of the votes given at such election shall be in favor of the adoption of said charter, then it shall immediately take effect as a law; but if a majority of the votes given shall be against the adoption of said charter, then this act to be of no effect.

NEWTON CLOUD,
Speaker of the House of Representatives *pro tem.*

S. H. ANDERSON,
Speaker of the Senate.

Approved by the Council, February 3, 1840.

THOS. CARLIN.

AMENDMENT.

An Act to amend an Act entitled "An Act to incorporate the City of Quincy." Approved Fed. 3, 1840.

Sec. 1. Qualifications of Electors.

2. County exempt from support of city paupers. City to provide.
3. Inhabitants to pay county tax on property out of the city.
4. Part of act repealed.
5. Repealed by the act of January 28, 1851.
6. Repealed.

SECTION 1. *Be it enacted by the people of the State of Illinois, represented in the General Assembly,* That at all elections of Mayor and Aldermen within and for said city, all white male inhabitants above the age of twenty-one years, who have resided in the State six months next preceding the election, and who actually reside in the said city, shall enjoy the right of electors; but no person shall be entitled to vote for Aldermen except in the ward in which he shall actually reside at the time of the election.

SEC. 2. The county shall be exempt from the support of paupers within the limits of said city; but the City Council shall provide such means and pass such ordinances as they shall deem proper for the support of their own paupers.

SEC. 3. The inhabitants of the city of Quincy shall, the same as other citizens of the county, pay a county tax on all their property situate without the limits of the city.

SEC. 4. So much of the act to which this is an amendment, as requires the Mayor of the city to be a freeholder, be and the same is hereby repealed.

SEC. 5. Repealed.

SEC. 6. Repealed.

Approved January 7, 1841.

An Act to amend the Charter of the City of Quincy.

- Sec. 1. City authorized to levy additional tax for school purposes.
2. Tax collected same as other tax.
3. Vote to be taken.

SECTION 1. *Be it enacted by the people of the State of Illinois, represented in the General Assembly,* That the city of Quincy, be, and are hereby authorized, in addition to the taxes already authorized to be collected, to levy a tax not exceeding one-eighth of one per centum in each year, on all taxable property in said city, the proceeds of which said tax shall be wholly applied to the support of the common schools in said city, and to no other purpose.

SEC. 2. The taxes collectable under this law may be collected in the same manner, and under the same regulations, that other city taxes are collected.

SEC. 3. There shall be a poll book opened in the manner usually adopted in case of special city elections, in the city of Quincy, on the first Monday of April, in the year eighteen hundred and forty-five, to continue open from eight o'clock in the morning, until six o'clock in the evening of said day, during which time a vote shall be taken by the qualified voters of the city of Quincy, whether the foregoing amendment to the charter of the city of Quincy shall be accepted or not; and in case a majority of the votes cast shall be in favor of the acceptance of the same, then, and in that case, the City Council of the city of Quincy may proceed to assess and collect the said tax in the manner aforesaid, or so much thereof as they may deem necessary; but in case a majority of the votes cast shall be against the acceptance of said amendment, then and in that case the powers herein before granted shall be void and of no effect.

SEC. 4. This act shall take effect from and after its passage.

Approved February 14, 1845.

NOTE.—The tax provided for in this law has been regularly collected and applied to schools.

An Act to amend the City Charter of the City of Quincy.

- Sec. 1. City may levy special tax to grade side walks and light city.
2. Power over public grounds.
3. License powers.
4. Power over ferries and billiard tables.
5. Amended by the act of January 17, 1855.
6. Marshal to be elected—to be County Constable—his term of office—to give bond and take oath of office.
7. Portions of Charter repealed.

SECTION 1. *Be it enacted by the people of the State of Illinois, represented in the General Assembly,* That the City Council of said city shall have power, by ordinance, to levy and collect a special tax on the owner or owners of the lot or lots on any street, lane, avenue, or alley, within said city, for the purpose of grading and paving the side walks in front of their respective lots, and keeping the said side-walks in repair, and for the purpose of lighting such street, lane, avenue or alley.

SEC. 2. The city council of said city shall have power to provide for enclosing, improving and regulating all public grounds within the city, and for the punishment of injuries or damage done to trees, buildings or other improvements thereon.

SEC. 3. To license, tax and regulate auctioneers, merchants and retailers, groceries, taverns, ordinaries, and all places where fermented liquors are sold, and the venders of the same, hawkers, pedlers, brokers, pawn-brokers, and money changers.

SEC. 4. The city council have exclusive power, within the city, by ordinance, to license, regulate, and restrain the keeping of ferries, and to suppress and restrain billiard tables, and the sale of lottery tickets.

SEC. 5. Amended.

SEC. 6. The City Marshal of said city shall, by virtue of his office, be a constable of Adams county, with power to serve process, and do all acts that constables may lawfully do; and shall receive the same fees as are allowed to other constables by law; and hereafter the said Marshal shall be elected by the voters resident within the incorporated limits of said city of Quincy, who are qualified to vote for Mayor of said city, at the same time and in the same manner that the Mayor of

said city is elected; and he shall hold his office for the same length of time said Mayor holds his office; and shall, before entering upon the discharge of his office, in addition to the bond now required of him by the ordinances of said city, execute another bond, and file it in the office of the county commissioners' clerk of Adams county, in like manner as other constables are now required to do by law; and he shall, moreover, take the same oath to discharge the duties of his office, and in the same manner that other constables are now required to take.

SEC. 7. *Be it further enacted*, That the sixteenth, nineteenth and fortieth sections of the fifth article of "An act to incorporate the city of Quincy," approved February third, one thousand eight hundred and forty, and all parts and provisions of said act of incorporation, conflicting with the provisions of this act, be, and the same are hereby repealed.

Approved February 27, 1847.

An Act further to amend an Act entitled "An Act to incorporate the city of Quincy." Approved February 3, 1840.

SEC. 1. Repealed.

2. Repealing clause.

SECTION 1. Repealed.

SEC. 2. That the fifth section of an act to amend "An act to incorporate the city of Quincy," approved February 3d, 1840, which said amendment was approved January 7, 1841, be and the same is hereby repealed.

Approved January 28, 1851.

An Act to amend the City Charter of the City of Quincy

SECTION 1. *Be it enacted by the people of the State of Illinois, represented in the General Assembly*, That the city council of the city of Quincy shall have power upon the petition of the ma-

jority of the owners and holders of lots in any block or blocks or other natural division of ground, fronting on any street, alley, highway or other thoroughfare in said city; to cause from time to time any such street, alley, highway or thoroughfare, or any part thereof to be paved, McAdamized or planked and to keep the same in repair.

SEC. 2. The expenses of any improvement mentioned in the foregoing section, may be assessed upon the real estate in any natural division benefitted thereby, with the costs of the proceedings therein, in proportion, as near as may be to the benefit thereto; *Provided*, such assessment shall not exceed three per cent. per annum on the property assessed.

SEC. 3. The said city council shall have power by ordinance, to levy and collect a special tax on the owners or holders of the lots on any street, alley, highway, or thoroughfare, or part of any street, alley, highway or thoroughfare, according to their respective fronts owned or held by them, for the purpose of carrying out the power granted by the first and second sections of this act.

SEC. 4. The city council are hereby authorized and empowered to make all necessary ordinances for the purpose of fully carrying out the power herein granted, not inconsistent with this act.

SEC. 5. This act to take effect and be in force from and after its passage.

Approved February 9, 1853.

An Act amendatory of and Supplemental to an "Act entitled an Act to incorporate the City of Quincy," approved February 3, 1840.

SECTION 1. *Be it enacted by the people of the State of Illinois, represented in the general assembly,* That the corporate limits and jurisdiction of the City of Quincy shall be, and the same are hereby so extended as to include within the same, all that tract of country situated in the County of Adams, in the State of Illinois, embraced within the following boundaries, to wit: Beginning in the middle of the main channel of the Mississippi

river, at a point due west from the north west corner of section thirty-five, in township one south of the Base line of range nine west of the Fourth Principal Meridian ; running thence east to said north-west corner of said section thirty-five, thence east on the north line of said section thirty-five and the north line of section thirty-six, in the aforesaid township and range, to the north-east corner of said section thirty-six, thence south on the east line of said section thirty-six and the east line of sections one and twelve, in township two south of the Base line in range nine west of the aforesaid Fourth Principal Meridian, to the south-east corner of the north half of said section twelve, thence west along the south line of the said north half of said section twelve and the south line of the north half of section eleven, in the last aforesaid township and range, to the southwest corner of said north half of section eleven, thence west to the middle of the main channel of the Mississippi river, thence up said river along the middle of the main channel thereof, to the place of beginning.

SEC. 2. The City Council of the said City of Quincy shall have power and authority to lay out, establish, open, enclose, improve and keep in repair public squares or grounds ; to lay out, open, alter, abolish, widen, extend, establish grade, pave, improve and keep in repair streets, lanes, avenues and alleys, and to lay out, open, establish, enlarge, extend, alter, change, abolish, improve, regulate and keep in repair public landings, wherever they may deem proper within the limits of said city: *Provided*, the rights, privileges, powers and jurisdictions now conferred upon the City of Quincy by the existing Charter in relation to Ferries across the Mississippi river, shall not by virtue of the original Charter or the provisions of this act, extend to any of the lands embraced in the extension of the limits of said city herein provided for.

SEC. 3. The said council shall also have power and authority to purchase all or any lands which may be required for any of the purposes in the last preceding section of the act mentioned, if able to agree with the owner or owners thereof, and to take and appropriate the lands thus purchased and any other suitable lands belonging to said city, which may not at

the time of such appropriation be appropriated by said city to some other public use, for any of the purposes aforesaid for which lands may be required, and the said council shall also have power and authority to take and appropriate for any of the purposes aforesaid, for which lands may be required, all lands thus required not having been purchased as aforesaid, nor belonging to said city in the manner hereinafter specified. All lands so purchased as hereinbefore provided, shall be conveyed to said city by deed, or deeds good and sufficient for that purpose, and all of the estate right, title and interest of each of the vendors of such lands shall, from the time the same shall be conveyed as aforesaid, vest in said city absolutely.

SEC. 4. Whenever the said council shall have determined by an order duly entered of record to do any of the things in the second section of this act mentioned, for which land may be required, and what land they will take and appropriate for such purpose or purposes, they shall cause a plat or map of such land to be made by some competent surveyor, and filed in the office of the Clerk of said city; and when any person or persons other than said city shall have any interest in said land, the city council of said city, without any unreasonable delay after the making of such order, shall by an instrument of writing executed by the Clerk of said city, attested by the corporate seal thereof, designating the land to be appropriated and the purpose or purposes for which the same is to be appropriated, appoint five disinterested freeholders, residents of said city, as commissioners to assess the compensation to be paid by said city to each and every person having an interest in said land, for his or her interest in the same, and fix upon some time and place which shall be not less than twenty, nor more than thirty days from the time of such appointment, and within said city, when and where such commissioners shall meet for the purpose of entering upon the performance of their duties, having first given notice to all persons interested, that he would appoint such commissioners, and of the time and place, which shall be within said city, when and where such appointment will be made, and of the land to be appropriated, and the purpose

or purposes for which the same is to be appropriated, by an advertisement published in ten successive numbers of some daily newspaper published in said city, the first publication whereof shall be at least fifteen days previous to the time fixed upon for such appointment. Immediately upon commissioners being appointed by said Mayor, he shall file the instrument of their appointment in the office of the Clerk of said city. All persons interested in the land to be appropriated may appear before said Mayor at the time and place fixed upon for the appointment of commissioners, and be heard relative to their appointment; said Mayor shall give notice to the commissioners appointed by him of the time and place fixed upon by him for them to meet as aforesaid, at least ten days previous to the time so fixed upon.

SEC 5. Upon any instrument of the appointment of commissioners as hereinbefore provided, being filed in his office, the Clerk of said city, shall give notice to all persons interested, of the appointment of the commissioners therein mentioned, the purpose for which they are appointed, the land to be appropriated, and the purpose or purposes for which the same is to be appropriated, and of the time and place in such instrument fixed upon for the commissioners to meet for the purpose of entering upon the duties of their appointment, to be published in ten successive numbers of some daily newspaper, published in said city, the first publication whereof shall be at least fifteen days previous to the time fixed upon for said commissioners to meet; and before the time for such meeting said Clerk shall deliver to said commissioners, or some one of them, a transcript of said instrument duly certified by him to be such under the seal of said city.

SEC. 6. Commissioners appointed as hereinbefore provided shall, before entering upon the duties of their appointment, be sworn before some person authorized to administer oaths, that they will fairly and impartially perform the duties required of them as commissioners, according to the best of their judgment, understanding and ability, and they shall meet at the time and place in the instrument of their appointment mentioned for

that purpose, and proceed without any unnecessary delay in the performance of their duties until the same shall be completed.

SEC. 7. Said commissioners shall inquire into, and to the best of their ability ascertain the damages each person having an interest in the land to be appropriated will sustain, and the benefits he or she will derive from or on account of the appropriation and use determined upon or contemplated by said council being made, regarding in such case the land or lands required as being worth what would be the cash value of the same, if no such appropriation and use had been contemplated, and no more, and disregarding all benefits any person may derive in common with others whose land or lands shall not be required ; and in each case where the damages to be ascertained shall exceed the benefits to be ascertained, said commissioners shall assess as the compensation to be paid by said city to the person interested for his or her interest in said land the amount such damages shall exceed such benefits, in each case where such damages shall be less than or only equal to such benefits, no compensation shall be assessed by said commissioners ; and said commissioners shall make a report in writing under their hands, designating the land to be appropriated and the purpose or purposes for which the same is to be appropriated, and the respective amounts which shall have been so assessed by them as aforesaid, and the persons respectively entitled to the same; which report they shall immediately on the same being made, file in the office of the Clerk of said city. Said commissioners in performing their duties, shall have power to adjourn from time to time, and they shall also have power, and it shall be their duty to view and inspect the land to be appropriated, to hear such suggestions, evidence and argument as may be offered by said Mayor, or any attorney or agent of said city, or any person interested in such land, and to swear or affirm all witnesses who may be brought before them to testify, and to issue summons for and by compulsory process compel the attendance of all witnesses who may be desired for such purpose.

SEC. 8. The Clerk of said city, upon the report of commis-

sioners appointed under the provisions of this act being filed in his office, shall give notice thereof and of the time of filing the same, the assessments therein mentioned, the land to be appropriated and the purpose or purposes for which the same is to be appropriated, by an advertisement to be published in ten successive numbers of some daily newspaper published in said city, the first publication whereof shall be within five days after the filing of said report, and said Clerk shall deliver a copy of all such reports to any party or person demanding the same as soon as practicable after demand made.

SEC, 9. An appeal may be taken to the circuit court of Adams county, from any assessment of the commissioners either by said city or any person in whose favor such assessment shall have been made, or his or her legal representatives, and an appeal may be taken to said court from the report of commissioners by any person interested in the land to be appropriated, at the time of such report being filed, in whose favor no assessment shall have been made, or his or her legal representatives; But no appeal from the report of the commissioners, or any assessment therein mentioned, shall be allowed unless the party entitled thereto shall, within twenty days from the filing of the report of the commissioners, cause a good and sufficient bond of some resident of said county, to be filed in the office of the Clerk of said court, payable if the appeal be taken by said city, to the people of the State of Illinois, for the use of the person or persons entitled to the assessment appealed from; and in all other cases to said city, and all such appeal bonds shall be in the penalty of five hundred dollars, and conditioned in substance that the party appealing shall prosecute the appeal taken without delay, and pay all costs which may be adjudged against such party upon dismissal or trial of such appeal.

SEC. 10. In all appeals herein provided for, said city shall be defendant, and the person or persons appealing, if other than said city, plaintiff or plaintiffs. When the appeal shall be taken by said city, the person in whose favor the assessment appealed from is made, shall be named as plaintiff, and so treated and regarded until the appeal is finally disposed of; unless during the pendency of such appeal the legal represen-

tatives of such person shall be made plaintiff or plaintiffs as hereinafter provided. And whenever the court shall be satisfied of the death of any plaintiff in appeal during the pendency of the appeal, and who the legal representatives of such plaintiff are, it shall, by an order to be entered of record substitute such legal representatives as plaintiff or plaintiffs in the place of such plaintiff. Whenever the court shall be satisfied that the person named as plaintiff in any appeal taken by said city, died after the filing of the report of the commissioners, and before the filing of the appeal bond, and who the legal representatives of such person are, it shall, by an order to be entered of record, substitute such legal representatives as plaintiff or plaintiffs in the place of such person.

SEC. 11. All appeals herein provided for, shall be placed on the law docket of said court, the same as other cases in law, and the clerk of said court shall in each case of appeal taken by said city, without any unnecessary delay, after the filing of the transcript in the next section of this act mentioned, give notice thereof and of the parties thereto, in what court the same is pending, and the land to be appropriated, by an advertisement to be published once each week for four weeks in succession, in some weekly newspaper published in said city ; and at the first term of said court after the expiration of forty days from the first publication of such notice, the plaintiff in such appeal shall, for all purposes, be treated and considered in court. No notice of appeal taken to said court by any other person or persons than said city, shall be required to be given, but said city, as well as the plaintiff or plaintiffs in such appeal, shall be considered as in court for all purposes at the first term thereof, after the expiration of five days from the time of filing the appeal bond.

SEC 12. Whenever an appeal shall be taken to said court, either from the report of the commissioners or any assessment therein mentioned, the Clerk of said city shall file a transcript of said order of said council, the instrument of the appointment of the commissioners and the report of the commissioners, certified by him to be such under the seal of said city, in the office of the Clerk of said court. When five days shall intervene

between the filing of the appeal bond in any such appeal and the commencement of the next term of said court thereafter, it shall be the duty of the Clerk of said city to so file such transcript on or before the first day of the next term of said court and in all other cases it shall be his duty to so file such transcript on or before the first day of the second term of said court, which may be held after the filing of such bond.

SEC 13. Whenever the plaintiff or plaintiffs in any appeal hereinbefore provided for, shall fail or neglect to prosecute any such appeal taken by him, her or them, or the person or persons he, she or they may represent in such appeal, the same shall be dismissed, and judgment rendered by the court against such plaintiff or plaintiffs for the cost of said city, expended in such appeal. And when said city shall fail or neglect to prosecute any such appeal taken by it, the same shall be dismissed, and judgment rendered by the court against it for the costs of the plaintiff or plaintiffs in such appeal.

SEC. 13. The trial of appeal to said court herein authorized shall be by jury, as in ordinary cases, unless the parties waive a jury and consent to be tried by the court, in which case the trial shall be by the court. In case of trials by jury the jury shall swear or affirm that they will well and truly try the cases according to the law and the evidence. Every such appeal shall present for trial as to each and every plaintiff in the case, the question whether he or she is entitled to any compensation, to be paid by said city, for any interest in the land to be appropriated, and if so, how much ; and in determining this question the court or jury, as the case may be, shall, so far as the same are applicable, be governed by the rules hereinbefore provided for the government of commissioners in assessing compensation. When the cause is tried by a jury their verdict may be returned orally or in writing; and in all cases the court shall cause the same to be reduced to proper form so as to express truly and fully the findings of the jury—verdicts of juries and findings of the court in cases under this act shall be truly and fully recorded.

SEC. 15. A judgment shall be rendered by the court upon every verdict of the jury or finding of the court in cases under

his act—that the interest of each and every plaintiff in interest in the land so appropriated vest in said city to be appropriated and used for the purpose or purposes determined upon by said council, upon the payment by the said city of the assessment or assessments in the verdict or finding mentioned ; and all such judgments shall be conclusive as to all plaintiffs upon the payment of the assessment therein mentioned, in the manner hereinafter provided. The costs which arise or grow out of appeals tried, may be apportioned and judgment rendered herefor, as to the court may seem just and proper.

SEC. 16. The proceedings in court under the provisions of his act, except as is otherwise, herein provided, shall be the same as in appeal from Justice of the Peace, so far as applicable, and the court shall have power and authority to make all rules and orders necessary and proper for a full and fair trial of the question involved.

SEC. 17. Payments of compensation assessed under and by virtue of the provisions of this act, whether by the commissioners or in court on appeal, may be made to parties laboring under no disability, in whose favor the assessments were made, to guardians of infants, husbands or trustees of *femme covert*, and conservators of insane persons, and a receipt for such payments shall operate as a confirmation of the proceedings, and shall stop the parties in interest from all further claims or proceedings in the premises. Payments to persons residing out of this State, as well as to infants without guardians, and insane persons without conservators residing within the same, may be made by depositing the money in the treasury of Adams county, and the receipts of parties entitled to money so deposited shall operate in like manner as for receipts for money paid to parties as herein provided : *Provided*, that if any person shall refuse to receive money when tendered, payment may in such case be made by depositing the amount in said treasury, and all receipts for money paid and certificates for money deposited as above provided, shall be filed in the office of the Clerk of said city.

SEC. 18. Reports of commissioners shall be conclusive evidence that they performed the duties required of them as to all

persons having an interest in the land to be appropriated who do not appeal therefrom, or from assessments therein mentioned as well as to all persons so appealing, whose appeal shall be dismissed, and upon payment being made as herein before provided of the assessment in such report mentioned, not appealed from or appealed from where the appeal shall be dismissed, the interest of all such persons in the land to be appropriated shall vest in said city to be appropriated and used for the purpose or purposes determined upon by said council.

SEC. 19. As soon as practicable, after the publication of the advertisements herein provided for, the clerk of said city shall procure from the publisher or publishers of the same, certificates of their due publication, with a copy of the advertisement in each case attached, and file such as relate to advertisements caused to be published by the Clerk of said court, in the office of said Clerk, and all others in his own office; said Clerk shall also, as soon as practicable after the final disposition in court of appeals herein provided for, procure from the Clerk of the court, under the seal thereof, a duly certified transcript in each case of appeal bond, and all orders and judgments of the court and entries of record therein, and also of the certificates of publication in cases where advertisements are required to be published by the Clerk of the court, and file the same in his office, as one of the papers relating to the appropriation determined upon by said council, and said clerk shall make complete records in a book to be kept for that purpose, of all the orders of said council, and papers filed in his office as by this act required, relating to appropriations of land by said council, a transcript whereof, duly certified by said Clerk, under the seal of said city, shall be evidence in all courts and places where the original orders and papers so to be recorded, could be used and have the same effect.

SEC. 20. Any three of the five commissioners, at any time appointed, may act and execute any or all of the duties required.

SEC. 21. Each commissioner shall be entitled to two dollars a day for his services, to be paid by said city.

SEC. 22. No plat or map of any addition to the said city

of Quincy, or any subdivisions of any land within the limits of the same, which may hereafter be made with the intent of selling any part of such addition or subdivision, shall be entitled to record or be recorded in the office of the Recorder of Adams county, until the same shall have been approved by the city council of said city, and all such additions and subdivisions as shall hereinafter be made with the intent aforesaid, shall be null and void, unless a correct plat or map of the same be approved by said city council within sixty days from the time the same shall have been certified by the surveyor making the same.

SEC. 23. That all fines, penalties and forfeitures inflicted by or recovered before the Police Magistrates of said city of Quincy, whether for violation of the city ordinances, or the laws of the State, shall be paid into the treasury of said city, and it shall be the duty of said magistrates, and all other officers, to account for and pay over all such fines, penalties and forfeitures as may be collected by them to the Treasurer of said city, on the first Mondays of March, June, September and December of each and every year hereafter.

SEC. 24. The city of Quincy is hereby exempted from each and all of the provisions of the act entitled "an Act to amend the charter of the several towns and cities in the State," approved March the 1st, 1854. And all provisions of the act incorporating said city, and also of all other laws in force at the time of the passage of the above recited act, are hereby revised and shall be treated as in full force as to said city. And hereafter, no judgment shall be required, previous to the sale of any lands for taxes, whether general or special, assessed by said city, or the proper authorities thereof; *Provided*, that nothing in this act contained shall be so construed as to allow the authorities of said city to grant license to sell spirituous, vinous or malt liquors, or to keep groceries, or to confer any power in relation thereto, in any wise incompatible with the general laws of the State on that subject, now in force, or hereafter to become the law of this State; anything in this act to the contrary notwithstanding.

SEC. 25. The city council shall have power for the purpose

of keeping the streets, lanes, avenues and alleys in repair, to levy in each and every year a tax not exceeding two dollars on each and every free white male inhabitant in said city over the age of twenty-one years and under the age of fifty years, excepting those who are now or may be hereafter exempted by law from road tax; said tax to be collected in such a manner as said city council may by ordinance provide.

SEC. 26. That the city of Quincy, in order the better to provide for and accommodate the increasing business of the city, be and they are hereby authorized and empowered to sell and convey to the Northern Cross Railroad Company the premises or any part thereof, known as the public landing in said city, and bounded on the east by Front street, on the west by the Mississippi river, on the south by the river fraction lot three, (3) block sixteen (16) in the original plat, and on the north by block one (1) in Pease's addition to the city, in consideration of, and in exchange for, any other premises in said city, bounded on the west by the Mississippi river, and on the east by Front street; and such conveyance shall vest in the said company, their successors and assigns, a title in fee simple in the premises thereby conveyed, *provided*, that the ground held for public landings in the said city, shall not at any time hereafter have less front on Front street and on the Mississippi river than the existing public landings; *And provided further*, that said city shall at all times have full power to collect wharfage from any and all boats or crafts of any kind, landing at any point within the limits of said city.

SEC. 27. That the premises which in pursuance of the foregoing last section may be conveyed to the said city, shall be retained and held by the said city for the purpose of a public landing in the same manner, and subject to the same power, of jurisdiction and regulation by the city council as pertains to the existing public landing.

SEC. 28. That the arrangement heretofore made between the said city and Railroad company, conferring upon said company the right to use parts of certain streets, alleys and public grounds for right of way and other purposes are hereby confirmed.

SEC. 29. That the city of Quincy and the Northern Cross Railroad company are hereby authorized and empowered on such terms and for such considerations as the said parties may agree upon, to make and conclude any contracts and agreements for the establishing, opening or abolishing any part of any streets, avenues or alleys within the jurisdiction of said city adjoining or dividing any property which is or may be owned and used by the said company for the purposes of their business at Quincy, and to lease or convey the same to the said company in fee or to otherwise secure to said company the occupation and enjoyment thereof, exclusive or otherwise, in such manner and for such use and purpose as may be agreed upon.

SEC. 30. The city council of the city of Quincy shall pay annually for each and every year for three years, to the school directors of Union school district in the county of Adams, for the use and benefit of the inhabitants of said Union school district, for school purposes, five hundred dollars with six per cent. interest thereon per annum; the first payment thereof to be made on the first day of September A. D. 1855, and the second payment on the first day of September A. D. 1856, and the third and last payment on the first day of September A. D. 1857; and to secure the payments of said amounts, respectively, the city of Quincy shall issue their obligation or obligations, to the said school directors of said Union school district therefor, and should they neglect or refuse to do so in proper form and manner, then and in that event nothing in this act contained shall be so construed as to interfere in any way or manner with the limits, jurisdiction, powers, rights and privileges of the said Union school district as now established by law, but the said limits, jurisdiction, powers, rights and privileges shall be and remain as now enjoyed and possessed by the inhabitants of said school district, for all school purposes as fully, completely and entirely as though this act had never become a law, and the said city of Quincy shall not levy, assess or collect any tax for school purposes on any real estate now comprising any part of said Union school district, or have, exercise, possess or enjoy any rights, powers or jurisdiction over said lands or any part thereof for school purposes, but

the same shall be valued and assessed for school purposes, and the tax thereon collected and paid over in the manner now provided by law, and as though this act had never passed.

SEC. 31. All the rights and privileges heretofore acquired by the inhabitants of said Union school district, by reason or virtue of any tax levied on the real estate now comprised within the limits of said school district, shall and they are hereby retained, and are to be possessed as fully and completely by them, their agents and officers as they are now enjoyed, and as though this act had never become a law; and if any such tax has not been paid, they or their properly constituted authority shall have the power to sue for and collect said tax if the same is not paid to the county treasurer of Adams county, by action of debt or assumpsit.

SEC. 32. The city council of said city shall have power and authority to make all orders and ordinances not inconsistent with the constitution of the United States, or of this State, which shall be necessary and proper for carrying into execution and effect the powers specified in this act and the provisions thereof.

SEC. 33. This act shall be a public law, and shall be in force from and after its passage.

Approved January 17, 1855.

An Act to amend "Section Second of Article Fifth" of the original Charter of the City of Quincy.

SECTION 1. *Be it enacted by the people of the State of Illinois, represented in the General Assembly,* That the City Council of the City of Quincy, shall have power to appoint a Clerk, Treasurer, Assessor or Assessors, street Commissioner or Commissioners, and all such other officers as may be necessary.

SEC. 2. This act to become a law and be in force from and after its passage.

Approved, February 15, 1855.

STATE LAWS,
RELATING TO THE CITY,
AND AFFECTING ITS INTERESTS.

City Warrants.

- SEC. 1. Warrant or order to be drawn for only one amount on one claim or allowance.
2. Warrant to be drawn in favor of the person to whom due, and no other.
3. Warrant payable only to payee or his legal representatives.
4. Penalty for violating this act, and how recovered.

SECTION 1. In all cases in which any city or town in this State shall be indebted to any person or persons, on any account whatsoever, a warrant or voucher shall be drawn on the treasurer of such city or town, for the whole amount found due to such person, by the tribunal having power to audit and allow against such city or town; and such tribunal shall not in any case draw more than one warrant or voucher, for the amount allowed to one individual at one time.

SEC. 2. No warrant or voucher drawn on the treasurer of any city or town, shall be drawn in favor of any other person than the one to whom the same may be due, and such warrant or voucher may be in the form now prescribed by law.

SEC. 3. No treasurer of any city or town in this State, shall pay any warrant or voucher drawn on him, unless such warrant shall be presented for payment by the person in whose favor such warrant is drawn, or his assignee, or executor, or administrator.

SEC. 4. Any officer or officers of any town or city, that shall be guilty of violating the provisions of this chapter, shall be deemed guilty of a misdemeanor in office; and for every such violation shall be fined in a sum not exceeding five hundred dollars, to be recovered by indictment.

Approved March 3, 1845.

[107th chapter of Revised Statues.]

An Act exempting members of fire companies of the city of Quincy from road labor.

SECTION 1. *Be it enacted by the people of the State of Illinois, represented in the General Assembly,* That all members of any fire company of the city of Quincy, residing in said city during the time he shall remain a member of such company, and comply with the rules and perform the duties thereof, shall be exempt from all road and street labor.

SEC. 2. This act shall not be construed so as to exempt any person from any tax upon property. This act shall take effect from and after its passage.

Approved February 12, 1849.

NOTE.—Fire companies may become incorporated under a general law of this State. (25 chap. rev. stat.)

An Act to provide for the assessment of property in the city of Quincy, for State taxes, and for the collection of taxes therein for the year one thousand eight hundred and fifty, and for subsequent years, and for exempting the city of Quincy from the operation of the law authorizing township organization.

SEC. 1. and 2., Repealed by the act of June 23, 1852.

3. City exempt from township organization law, but may vote on question.

SECTION 1 and 2. Repealed.

SEC. 3. That the city of Quincy shall be exempt from the provisions of the act for township organization, heretofore passed or that may be hereafter passed; *Provided*, that nothing in this act shall prevent the legal voters in the city of Quincy from voting on township organization at the regular election held by the county for that purpose.

Approved February 15, 1851.

An Act authorizing incorporated cities to change, alter and vacate streets or parts of streets.

SEC. 1. City may alter or vacate. Petition for same. City to release ground to owner of adjoining lot, on payment of benefits assessed.

2. How benefits and damages assessed.

SECTION 1. *Be it enacted by the people of the State of Illinois, represented in the General Assembly,* That when the corporate authorities of any city may deem it for the best interest of their respective cities, that any street or part of a street shall be changed, altered, or vacated said authorities shall have the power, upon the petition of the property holders owning property on such street or part of street, to change, alter, or vacate the same, and to convey, by quit-claim deed, all interest which said city may have had in the street or part of street so vacated, to the owner or owners of lots and lands next to and adjoining the same, upon the payment by such owner or owners of all assessments which may be made against their lots or lands, for and on account of benefits to the same arising from such change, alteration or vacation of any street or part of street as aforesaid.

SEC. 2. The benefits and damages caused by changing altering or vacating any street or part of street as aforesaid, shall be assessed and determined in a manner pointed out by the act incorporating such city, or by the ordinances thereof in other cases.

Approved February 15, 1851.

Certified copies of corporate proceedings evidence.

Copies of all papers, books, or proceedings, or parts thereof, appertaining to transactions in their corporate capacity, of any town or city heretofore incorporated, or now incorporated, or that may hereafter be incorporated, under a general or special law of this State, certified to be true copies by the clerk, or keeper of the same, under the seal of said town or city, or

under the private seal of said clerk or keeper, if there be no public seal; the said clerk or keeper also certifying that he is entrusted with the safe keeping of the originals of which he gives certified copies, shall be received as *prima facie* evidence of the facts so certified, in all the courts of this State, in any suit or proceeding pending before them.

Approved March 3, 1845.

[Chapter 60, section 9, of rev. stat.]

An Act to vacate the survey and plat of the subdivision of lots eight, nine and ten, in block one, in Randolph's addition to Quincy.

SECTION 1. *Be it enacted by the people of the State of Illinois, represented in the General Assembly,* That the survey and plat of the subdivision of lots number eight, nine and ten, in block number one, in John R. Randolph's addition to the town (now city) of Quincy, and county of Adams, heretofore made by Robert R. Williams, Andrew Johnston, Nehemiah Bushnell, and recorded in the recorder's office of said county of Adams, on the twenty-fourth day of July, A. D. 1841, be and the same is hereby vacated; and the said lots eight, nine and ten are hereby restored to the condition in which they were placed by the recorded plat of the addition of John R. Randolph, to said Quincy. *Provided,* the vacating the survey and plat of said subdivision shall not affect or impair the vested rights of any person or persons acquired under the same.

SEC. 2. This act shall take effect from and after its passage.

Approved February 26, 1845.

An Act to incorporate towns and cities.

- SEC. 1. Persons violating ordinances may be compelled to work on the streets, instead of imprisonment.
2. City may declare what shall be a nuisance.
3. Power of city to grade streets, &c.; mode of compelling owners to fill up, &c.

NOTE.—Sections four, five, six and seven omitted.

8. City may purchase ground without the limits of the city.
9. City may collect taxes by judgment in circuit court, and through state officers.

SECTION 1. *Be it enacted by the people of the State of Illinois, represented in the General Assembly,* That any incorporated town or city in this State may have power to provide by ordinance, that every person against whom any judgment may hereafter be recovered, in favor of said town or city, for a penalty or fine for a breach of any ordinance, instead of being committed to jail, may be required to labor on the streets until the whole fine and costs shall be paid, at the same rate per day as may be allowed as a forfeiture for a failure to perform street labor under the direction of the street commissioner.

SEC. 2. The corporate authorities of any city or town in this State may have power to declare what shall be a nuisance, and to prevent and remove the same as much as one-half mile beyond the limits of the corporation, with full power to impose a fine for a violation of any ordinance to that effect.

SEC. 3. Whenever it may be necessary to pave or grade any street or front lots, or to fill up or alter any lot that may be declared to be a nuisance, said corporate authorities may have power, upon the failure of the owner of any lot to pave, grade or fill up said lot, or to pay the taxes or fine that may be assessed on the owner or owners thereof, to require that said lot or so much thereof as may be necessary, shall be sold for the payment of the tax or fine and cost, in the manner authorized for the collection of other taxes, and all assessments so made shall constitute a lien on said lot.

SEC. 8. The inhabitants of any town or city, in the cor-

porate name, may purchase, receive, and hold real estate beyond their corporate limits for the purpose of burying ground.

SEC. 9. Whenever the corporate authorities of any town or city may wish to have the taxes, authorized to be levied under and by virtue of their respective charters, or under the general act, upon filing a certificate of the rate authorized under the authority of the said corporation, in the office of the clerk of the county court, it shall be the duty of the collector of taxes for the state and county to collect the taxes for said town or city upon the assessment of the value of all the property within the limits of said corporation, as ascertained by the assessment for state and county purposes, and enforce the payment thereof in the same manner, and with all the rights, power and authority as he has to collect state and county taxes, and shall pay the same over to the order of the corporate authorities at the same time he is required to pay over the county revenue, and the court of the proper county shall render judgment and order sale of any lot or tract for non-payment of the tax and cost due said town or city, as is, or may be provided for state and county taxes; and judgment and sale shall be rendered for the aggregate amount due for county, state and town, or city taxes. The collector shall receive the same compensation for collecting the taxes for any town or city, as is allowed for the collection of the state and county revenue; to be paid out of the funds of the corporation, and he shall be liable on his bond for the faithful performance of the duties required under this act.

SEC. 10. This act to take effect from and after its passage.
Approved February 10, 1849.

An Act to erect the city of Quincy into a common school district.

- SEC. 1. Limits and name of school district.
2. City council to have direction of schools, and may appoint superintendent. Proviso, and power to pass ordinances.
3. How school fund to be used and paid over. Disposition of real estate, &c.
4. Settlement between townships.
5. Abstract of children to be furnished school commissioner.
6. Vote to be taken on this act.

SECTION 1. *Be it enacted by the people of the State of Illinois, represented in the General Assembly,* That the portion of township two (2) south nine west, and of township one (1) south nine west of the fourth principal meridian, lying within the corporate limits of the city of Quincy, with such parts of said townships as may hereafter be incorporated with, and come under the jurisdiction of said city, be, and the same are hereby erected into a common school district, to be known as and called the "Quincy School District."

SEC. 2. The care and superintendence of the common schools within the city of Quincy, together with the funds and estate, both real and personal, belonging to, and which may be conveyed to said Quincy school district, shall devolve upon the city council of the city of Quincy; and they shall have power to appoint, at their first meeting after their annual election in each year, a general superintendent of public schools for said city of Quincy, whose term of office shall be for one year, and until his successor be duly elected and qualified; and his duties and the amount of his salary shall be defined by the city council of the city of Quincy: *Provided, however,* that said salary shall, at no time, be paid out of the school fund belonging to said Quincy school district; and said city council shall have power to make all laws and ordinances necessary and proper for the management of said common schools, not inconsistent with the constitution of this State.

SEC. 3. The township funds, and estate, real and personal, belonging to said townships one (1) south, nine (9) west, and two (2) south, nine (9) west, shall be divided between the city

of Quincy and the portions of said townships lying without the city of Quincy, as follows: The Trustees of schools of township two (2) south and nine (9) west, shall, within three months from and after the passage of this act, appoint three respectable householders, one from the city of Quincy, one from township one (1) south, nine (9) west, residing out of said city, and one from township two (2) south, nine (9) west, residing out of said city; who, or a majority of whom, after being duly sworn, well and truly to perform their duty, shall ascertain, as nearly as may be, the number of white persons under the age of twenty years residing within said townships, respectively, both within and without the limits of said city of Quincy; and they shall divide and apportion the aforesaid township funds and estate according to the number of children under the age aforesaid residing in said townships, respectively, within and without the city of Quincy, and shall pay over and deliver to said city the distributive share of the respective township funds and estate aforesaid, to which the said Quincy school district may be entitled, according to the number of white persons under the age aforesaid, residing in said townships, respectively, and within the limits of said city of Quincy; and the said commissioners shall have power to make their deed of partition, and convey to the city of Quincy its distributive share of the real estate belonging to the school fund of the respective townships, aforesaid; and in case the commissioners, appointed as aforesaid, shall refuse or neglect to perform the duties aforesaid, within one month from the time of their appointment, the said trustees of township two (2) south, nine (9) west, shall have power to appoint others in their stead, either in or out of said city of Quincy, who shall, in like manner, be sworn, and perform the duties assigned to the first mentioned commissioners; and said trustees shall have power to make appointments and fill vacancies in the same, until the objects of this act are carried into effect: *Provided*, the same shall be done within twelve months from and after the passage of this act.

SEC. 4. The trustees of schools of township one (1) south nine (9) west, and township two (2) south, nine (9) west, re-

spectively, shall, upon such partition being made, pay over and deliver, to the city of Quincy, the funds and deeds to which said Quincy school district may be entitled, according to the division and distribution aforesaid, and shall take from the clerk of the city of Quincy a receipt for the same.

SEC. 5 It shall be the duty of the city council of the city of Quincy to cause to be furnished to the school commissioner of Adams county, an abstract of the whole number of white children, under the age of twenty years, residing in said Quincy district, within ten days after the number shall be ascertained; and the said school commissioner shall annually pay to the clerk of the city of Quincy the proportion of the school, college and seminary fund to which the said Quincy district may be entitled, according to the number of children under the age aforesaid, residing in said district, taking his receipt for the same: *Provided*, that no abstract of the number of children as aforesaid, residing in said Quincy school district, shall be returned to said school commissioner oftener than once in two years, as required in other school districts.

SEC. 6. This act shall have effect whenever a majority of all the legal voters of said township one (1) south, nine (9) west and two (2) south, nine (9) west, shall vote in favor of its provisions.

Approved February 27, 1847.

NOTE.—This act was adopted by the requisite vote.

An Act supplemental to "an Act to provide for a general system of railroad incorporations."

- SEC. 1. Cities and counties may subscribe to stock in railroads.
2. May borrow money. May issue bonds, &c.
3. Companies may borrow money, &c.
4. Bonds to be issued, &c.

SECTION 1. *Be it enacted by the people of the State of Illinois, represented in the General Assembly,* That whenever the citizens of any city or county, in this State, are desirous that said

city or county should subscribe for stock in any railroad company already organized or incorporated, or hereafter to be organized or incorporated under any law of this State, such city or county may, and are hereby, authorized to purchase or subscribe for shares of the capital stock in any such company, in any sum not exceeding one hundred thousand dollars for each of such cities or counties; and the stock so subscribed for or purchased, shall be under the control of the County Court of the county or common council of the city, making such subscription or purchase, in all respects, as stock owned by individuals.

SEC. 2. That for the payment of said stock, the judges of the county court of the county, or the common council of the city making such subscription or purchase, are hereby authorized to borrow money at any rate not exceeding ten per cent. per annum, and to pledge the faith of the county or city for the annual payment of the interest, and the ultimate redemption of the principal, or if the said judges or common council, should deem it most advisable, they are hereby authorized to pay for such subscription in bonds of the city or county, making such subscriptions to be drawn for that purpose, in sums not less than fifty dollars, bearing interest not exceeding ten per cent. per annum; *Provided*, that no bond shall be paid out at a less rate than par value.

SEC. 3. The railroad companies already organized or incorporated or hereafter to be organized or incorporated, under the laws of this State, are hereby authorized to receive the bonds of any county or city, becoming subscribers to the capital stock of such company, at par, and in lieu of cash, and to issue their bonds, bearing interest not exceeding ten per cent. per annum, for any monies by them borrowed for the construction of their railroad and fixtures, or for the purchase of engines and cars, and for such purpose may dispose of any bonds by them received, as aforesaid.

Sec. 4. No bonds shall be issued under the provisions of this act, by any county or city excepting for the amounts required to be paid at the time of subscription, and for the amounts of and at the time when assessments upon all the

stockholders of said company, shall be regularly assessed and made payable.

Approved November 6, 1849.

An Act to authorize the City of Quincy to levy and collect a special tax for the purposes therein mentioned.

- SEC. 1. May levy tax to pay interest on railroad bonds.
2. How collected.
3. Tax to be specially applied.

SECTION 1. *Be it enacted by the people of the State of Illinois, represented in the General Assembly,* That the city of Quincy is hereby authorized to levy and collect a special annual tax upon the property, real and personal, situated in said city sufficient for the payment of the annual interest, which may accrue upon any bonds to be hereafter issued by said city for railroad purposes, under the provisions of an act entitled "An act supplemental to 'An act entitled an act to provide for a general system of railroad incorporations,'" in force the 6th day of November, A. D. 1849.

SEC. 2. The special tax aforesaid shall be levied and collected at the same time and in the same manner as the other taxes levied by said city, and the said city shall have the same rights, powers and remedies, to enforce the collection of the same, by the sale of property or otherwise, as is or may be provided for in other cases relating to the city revenue.

SEC. 3. Said tax when collected, shall by the said city, be set apart and held separate and distinct from the other portions of the city revenue, as a fund specially pledged for a payment of the annual interest on the bonds aforesaid, and shall be by the said city, from time to time, applied to the payment of said interest, as the same becomes due and payable, and to no other purpose whatever.

Approved February 17, 1851.

NOTE.—The city has taken two hundred thousand dollars of stock in the "Northern Cross Railroad Company."

WOODLAND CEMETERY.

An Act to authorize John Wood to lay out a part of the northwest quarter of section eleven, two south, nine west, as a burying ground, and to convey the same, or a part thereof, to the Mayor or Aldermen of the City of Quincy, on terms to be mutually agreed upon between them.

SEC. 1. Grounds to be laid out.

2. Plat to be recorded.
3. Ground not subject to execution.
4. Title how vested, &c.

SECTION 1. *Be it enacted by the people of the State of Illinois, represented in the General Assembly,* That John Wood be, and he is hereby, authorized to survey, lay out and appropriate for a burying ground, a part of the north-west quarter of section eleven, in township two south, and in range nine, west of the fourth principal meridian, in Adams county, adjoining the burying ground heretofore laid out by him on said quarter section of land, under the name of "Woodland Cemetery," and as an addition thereto, and to be included in the same name, so that the said burying ground, including said original plat, shall not exceed forty acres.

SEC. 2. That the plat of said addition shall be acknowledged by the said John Wood, and recorded in the Recorder's office of said county, in the same manner as the original plat of said cemetery, as near as the nature of the case will admit.

SEC. 3. That from and after the recording of the said plat, the premises included in said Woodland Cemetery shall not be subject to execution, or attachment, and shall be exempt from all taxes, and that from the time aforesaid the premises shall be annexed to, and form a part of the said city of Quincy.

SEC. 4. That the said John Wood be, and he is hereby authorized to convey to the city of Quincy, the premises included in said cemetery, or any part thereof, to be held by the said city for the purposes of such burying ground forever, on such terms and conditions as may be agreed upon between the said John Wood and the Mayor or Aldermen of said city; and

the said city is hereby authorised to accept and receive the title of said premises, to be held for the purposes and on the trust aforesaid, and to sell and convey any lot or lots therein to any purchaser or purchasers thereof.

Approved January 16, 1847.

NOTE.—Under this law, Mr. Wood has laid out a spacious cemetery on his high lands on the south of the city, and has neatly enclosed and adorned the grounds. The arrangement with the city, contemplated by the law, has been consummated, and the title to the cemetery grounds vested in the city.

An Act for the better government of towns and cities, and to amend the charters thereof.

SECTION 1. *Be it enacted by the people of the State of Illinois, represented in the General Assembly,* That there shall be established in each of the cities of this state inferior courts of civil and criminal jurisdiction, which shall [be] called police magistrates' courts.

SEC. 2. That there shall be elected in each of the incorporated towns and cities of this state, the population of which shall not exceed six thousand, an officer who shall be styled police magistrate of the city of ——, or town of ——, as the case may be; in each city of this state having a population of over six thousand and not exceeding twelve thousand there shall be elected two police magistrates, and in the cities of this state whose population shall exceed twelve thousand there shall be elected three police magistrates. Said magistrates shall be elected by the legal voters of such city or town at the next regular election for city or town officers, and every four years thereafter.

SEC. 3. Said police magistrates when elected shall be commissioned and qualified in the same manner as justices of the peace are, and shall have in their respective counties the same jurisdiction, powers and emoluments as other justices of the peace in this state; and they shall also have jurisdiction in all cases arising under the ordinances of their re-

spective towns and cities, and for any breaches thereof, where the amount claimed shall not exceed one hundred dollars, and in all cases arising under the ordinances of the towns and cities said magistrates shall be entitled to the same fees as justices of the peace now are for similar services, and to be collected in the same manner: *Provided*, the city or town authorities of any such town or city may make such additional allowance to such police magistrates as they may deem just and expedient; and in all cases arising under the ordinances of any such town or city, change of venue shall be allowed from one police magistrate to another, in cities where there is more than one such magistrate, and in all other towns and cities from such police magistrate to the nearest justice of the peace, to be applied for in the same manner and granted on the same conditions and in the same manner as changes of venue from justices of the peace now are.

SEC. 4. The rules of practice and proceeding before such police magistrate shall conform to the practice and proceedings before justices of the peace, except in cases where such rules of practice and proceeding shall be changed or modified by the charter of such town or city; in which case, such rules of practice and proceedings shall conform to the said charters.

SEC. 5. The city marshals of such towns or cities, and all constables of the county in which said town or city may be situated, and all the town or police constables of such towns or cities respectively, shall be and are hereby authorized to execute all process and orders issued or made by said police magistrates in their respective counties.

SEC. 6. Appeals shall be allowed from the decision of police magistrates in all cases, to be applied for and taken in the same manner that appeals from justices of the peace may be taken.

SEC. 7. This act to take effect and be in force from and after its passage.

Approved February 27, 1854.

An Act to amend an Act entitled "An Act to amend the revenue laws and provide for the collection of the State taxes in the city of Quincy." Approved June 23, 1852.

SECTION 1. *Be it enacted by the people of the State of Illinois, represented in the General Assembly,* That the city of Quincy shall, on the first Monday of September next, and annually thereafter, pay to the county of Adams, the sum of eight hundred dollars, to reimburse said county for moneys advanced by her on account of said city's part of the court expenses of said county, anything in the tenth section of an act entitled "An Act to amend the Revenue laws and provide for the collection of State taxes in the city of Quincy," approved June 23, 1852, to the contrary notwithstanding.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved February 14, 1855.

ORDINANCES.

NO. I.

An Ordinance relating to the meetings of the City Council.

SEC. 1. Stated meetings, when held—special meetings, how called—notice of special meetings, how and by whom served.

SECTION 1. *Be it ordained by the City Council of the city of Quincy,* That the stated meetings of the city council shall be held on the first Monday of every month, at such place within the limits of said city, as the city council may from time to time direct; and that special meetings thereof shall be called by the Mayor or any two Aldermen, by leaving written notices of the time and place of holding the same, at the residence of the respective members, unless the same be personally served on such members; the service of such notices shall be, and is hereby made the duty of the Clerk of said council.

NO. II.

An Ordinance defining Election Wards.

SECTION 1. *Be it ordained by the City Council of the city of Quincy,* That the First Ward of said city for election purposes shall embrace all that part of said city north of the centre line of Hampshire street, extended east to the east line of the city limits.

SEC. 2. The Second Ward shall embrace all that portion of said city bounded as follows, to-wit: Beginning at a point

on the east line of the city limits where Hampshire street if extended, would intersect the same, running thence west on the centre line of said Hampshire street to the Mississippi river, thence with said river to the middle of Maine street, thence east to the middle of Fifth street, thence south to the middle of York street, thence east to the east line of the city limits, thence north to the place of beginning.

SEC. 3. The Third Ward shall embrace all that portion of said city lying between the Second Ward and the south boundary line of said city.

NO. III:

An Ordinance regulating the election of Mayor, Aldermen and Marshal.

- SEC. 1. Three judges of election to be appointed in each Ward—their qualifications. Clerk to give notice of time and place of holding elections—how given.
2. Judge failing to attend; place how filled—no judge present, substitutes how appointed and qualified
3. Vacancy in office of Mayor, how filled. Judges of Election to be appointed—vacancy in office of Alderman, how filled appointment of Judges of Election—notice of special election, how given.
4. Judges of election to be notified of their appointment—may appoint Clerks. Judges and Clerks, how qualified—mode of conducting elections and of making returns.
5. Tie in an election for Mayor, how determined.
6. Tie in an election for Alderman, how determined.
7. Election of Mayor, how contested.
8. Election of Alderman, how contested.
9. Chairman of committee and President of Council authorized to issue subpoena.
10. Vacancy in office of Marshal—tie in contest—penalties for misconduct of Judges and Clerks. Certificates of election.

SECTION 1. *Be it ordained by the City Council of the city of Quincy, That there shall be appointed by the city council, at least one month previous to the annual election of Mayor,*

Marshal and Alderman of said city, three judges of election for each ward of said city, who shall be legal voters in such ward, to preside at such election in their respective wards; and the Clerk of said city council shall give three weeks' notice of the time and place of holding such election, and of the hours of opening and closing the polls, by publishing the same in one or more of the newspapers published in said city.

SEC. 2. *Be it further ordained,* That if any judge of election appointed under the preceding section shall fail to attend, the judge or judges attending may supply his place from the electors present; and if no judge shall attend, then the electors present may appoint judges of election; and the judges appointed under this section shall be qualified, and shall conduct the election in all respects as if they had been originally appointed by the city council: *Provided*, that no elector shall act as judge, or vote in the appointment of a judge, except in the ward where he is entitled to vote.

SEC. 3 *Be it further ordained,* That in case the office of Mayor shall become vacant by reason of his removal from the city, his death, resignation, or by any other means whatever, it shall be the duty of the city council forthwith to order an election of Mayor, and to appoint three judges of election in each ward of the said city, in like manner as is heretofore provided, who shall be subject to the provisions of the preceding sections. If the office of one or more Aldermen shall by any means become vacant, it shall be the duty of the city council to order an election or elections forthwith, in such ward or wards as may be unrepresented, either in whole or in part, and to appoint three judges of election for every such ward, in the same manner, and subject to the same provisions as directed in the preceding sections. Notice of the special elections under this section, shall be given in like manner as the notice prescribed in the first section of this ordinance; *Provided*, that said notice may be for such length of time as may be ordered by the council.

SEC. 4. *Be it further ordained,* That the judges of election shall, in all cases, be notified in writing of their appointment by the city clerk, and shall be authorized to appoint two clerks

of election in their respective wards. The judges and clerks shall be qualified, and all elections under the city charter or any ordinance of the city council shall be by ballot; and in this respect as well as in the canvassing of votes, shall be conducted in conformity with an act of the general assembly of this State, entitled "An Act to provide for the mode of voting by ballot, and for the manner of returning, canvassing and certifying votes," approved February 12, 1849. And returns of all such elections shall be made to the city council, and canvassed and certified, so far as applicable, in conformity with said act and the laws of this State.

SEC. 5. *Be it further ordained,* That whenever it shall appear from the returns of an election for Mayor, that any two or more candidates, have an equal number of votes for said office, and that the same is the highest number of votes polled for any candidate, the election shall be determined by lot as follows, to wit: At the next meeting of the city council thereafter, the Clerk shall prepare a number of ballots for each of the candidates having said equal number of votes, equal to the number of the members of said council then present, and shall write the names of such candidates on the ballots prepared for them respectively; he shall then deposit the said ballots in a box in such manner, that no person drawing a ballot, shall perceive the name written thereon; each member of the council then present, shall draw one ballot from the said box, and the candidate whose name shall appear on a plurality of the ballots thus drawn, shall be declared Mayor of the said city. If two or more names shall appear on an equal number of ballots thus drawn, and said number be the highest, then a new ballot shall be made between them in like manner, dropping the other candidates; and so on until an election by lot is effected in the manner already provided for.

SEC. 6. *Be it further ordained,* That whenever it shall appear from the returns of an election in any ward of said city, that two or more candidates have an equal number of votes for the office of Alderman therein, and that the same is the highest number of votes polled for any candidate, the election shall be determined by ballot in the same manner as provided

in the last section, with the following exceptions, to wit: seven ballots shall be prepared and deposited for each of said candidates respectively; the Mayor shall draw seven ballots out of the whole number deposited, and the candidate, whose name shall appear on a plurality of the ballots so drawn, shall be declared Alderman of the ward in which the election was held. In case of a tie upon the first ballot, other ballottings shall take place in like manner, as provided in the last section until an election be effected. In case the election shall have been held in such ward for more than one Alderman, and no one candidate receive a plurality of the votes of the electors, the Mayor shall make a separate election by lot as herein before directed for each Alderman, to which said ward shall be entitled.

SEC. 7. *Be it further ordained,* That whenever any person who has been a candidate for the office of Mayor, shall intend to contest the election of the candidate in whose favor the return has been made, it shall be his duty within ten days from the day of such election, to give notice in writing of such intention to the person whose election is to be contested either by personal service of such notice, or by leaving the same at his usual place of residence; and it shall also be the duty of such contesting party within the time aforesaid, to file a petition with the clerk of the council, addressed to said council and setting forth his intention to contest the said election, together with the points upon which it is contested; and thereupon the city council shall appoint at their next meeting a committee to consist of one from each ward to examine into the case and to report thereon to the said council. Said committee shall proceed to discharge the duty assigned them by hearing testimony and otherwise, having first given five days' notice to both parties, to the time and place of making such inquiry, and shall report the result of their inquiry to the city council, with a brief view of the testimony in the case and of the reasons of their decision; and thereupon the contest shall be finally determined by a vote of the said city council: *Provided*, however, that the council before such final determination, may, if they think fit, proceed to re-examine the testimony in

the case, upon giving a like notice to the parties as herein before provided.

SEC. 8. *Be it further ordained,* That whenever any person, who has been a candidate for the office of Alderman, shall intend to contest the election of the candidate in whose favor the return has been made, he shall give a similar notice, and file a similar petition to those required under the preceding section; and all the subsequent proceedings therein shall conform as nearly as possible, to those prescribed in the said section.

SEC. 9. *Be it further ordained,* That the chairman of any committee appointed under the two last preceding sections, and also the Chairman or President of the city council shall be authorized, in the cases therein mentioned, to issue subpœnas for witnesses under their hands; and if any witness, upon whom said subpœna may have been served, shall refuse obedience thereto, he shall forfeit the sum of twenty-five dollars, to be recovered by action of debt in the name of the said city of Quincy.

SEC. 10. *Be it further ordained,* That in all cases of contest of election of City Marshal, or of a tie in any such election, or of vacancy in the office of Marshal, the same proceedings shall be had in all things, as near as may be, as is provided for in this ordinance in cases of Aldermen. Any judge or clerk of any such election duly appointed and qualified who shall conduct himself at any such election in a riotous or disorderly manner, shall, for every such offence, forfeit and pay to the city a fine of not less than five, nor more than twenty-five dollars, in the discretion of the court, to be recovered as other penalties. The city clerk shall issue to the Mayor and Marshal elected under this ordinance certificates of election.

NO. IV.

An Ordinance regulating the appointment of City Officers by the City Council, prescribing their duties, and providing for their removal.

- SEC. 1. City officers; what to be appointed by the city council, and when. Their term of office. Duties of Assessors.
2. Duties of City Clerk.
 3. " Treasurer.
 4. " Marshal.
 5. " Overseer of the Poor.
 6. " Engineer and Surveyor.
 7. " Clerk of Market.
 8. " Harbor Master.
 9. " Fire Warden.
 10. " Sexton.
 11. " Wood Measurer.
 12. " Measurer of Lumber, &c.
 13. What officers to give bond. All city officers to subscribe an oath, or affirmation.
 14. City officers how removed.
 15. " On vacating office to deliver over books, &c.
 16. " Services of. How compensated.
 17. " To render an account of money received.
 18. " Vacancies of. How filled.
 19. Majority of Council present sufficient to elect.
 20. Duties of City Physician.
 21. Mayor may employ counsel.
 22. Superintendent of Schools.

SECTION 1. *Be it ordained by the City Council of the city of Quincy,* That at the first meeting of the city council in each year, after the organization thereof, or as soon thereafter as practicable, the city council shall appoint by ballot, *viva voce*, or by resolution as a majority of them shall determine, the following city officers: a City Clerk, a City Treasurer, a City Overseer of the Poor, a City Engineer, a Street Commissioner, a Clerk of the City Market, a City Harbor Master, a City Fire Warden, a City Sexton, a City Measurer of lumber, wood, buildings, materials, and other mechanical work, a City Physician, a Superintendent of City Schools, who shall hold their

offices for one year, and until their successors shall be appointed and qualified, unless sooner removed by the city council. The city council shall also on the first Monday of February in each year, or so soon thereafter as practicable, appoint a city assessor for each assessment division in manner aforesaid, who shall hold his office for one year and until his successor shall be appointed and qualified, unless sooner removed, as aforesaid, and who shall perform such duties as may be required of him by the revenue and other ordinances of the city, or the laws of this State. The city council may also, from time to time appoint such other city officers as they may deem necessary, and for such term not exceeding one year, as they may see fit, and which appointments shall be in manner aforesaid.

SEC. 2. *Be it further ordained,* That it shall be the duty of the city clerk to attend the special and stated meetings of the city council; keep a correct journal of all its proceedings; record the same in a book to be kept for that purpose; record in a separate book all ordinances which may be passed from time to time by the city council, and cause the same to be published within one month after they shall have been passed, in such newspaper of the city as the city council may designate; keep and preserve safely all papers pertaining to his office; prepare and deliver all licenses, bonds and certificates of sale and redemption, on the receipt of the proper sums of money therefor; countersign all vouchers and deliver the same, when called for, taking a receipt for the same; notify all officers appointed by the city council, of their election; and generally to do and perform such other duties as may at any time be enjoined on him by ordinance or resolution of the city council. It shall be the especial duty of the city clerk at the close of each fiscal year, to make out and publish in the newspaper selected to publish the city proceedings, a full and complete statement of the receipts and expenditures of said city during such year, and showing on what account received and expended. And such fiscal year shall commence on the first day of April in each year, and shall end on the first day of the next succeeding April, including the first and excluding the last of said days.

SEC. 3. *Be it further ordained*, That it shall be the duty of the City Treasurer to keep a true and accurate account of all money paid into the Treasury, by whom and on what account received; keep a distinct account of the costs, expenses and receipts connected with the "Quincy Cemetery," and in making reports to the city council, to make a separate and specific report of the same; pay out all such sums of money as may be ordered by the city council, vouchers therefor being signed by the Mayor or President of the city council and countersigned by the city clerk; and finally, to make an annual report of the state of the treasury and of his doings to the city council, or oftener, if required by said city council. And the treasurer shall perform such other duties as may be prescribed by ordinance or resolution of the city council.

SEC. 4. *Be it further ordained* That it shall be the duty of the City Marshal to execute all writs or other process, issued by the Police Magistrate's court when delivered to him; collect all fines, forfeitures and penalties, which may accrue to the said city, not otherwise provided for by ordinance, and in the performance of any duty enjoined on him by any ordinance or resolution of the city council, he shall be invested with such powers as are conferred upon constables by the laws of this State; remove all nuisances in conformity with any ordinance or resolution of the city council; give to the Mayor all information that may be communicated to him, or come to his knowledge, of any and every breach of the ordinances of the city; and generally to do and perform all duties which may be enjoined on him by ordinance or resolution of the city council.

SEC. 5. *Be it further ordained*, That it shall be the duty of the Overseer of the Poor, on application of any inhabitant of said city, to furnish all such food, clothing, fuel, medical and other aid in sickness, for poor persons residing within said city, as he may deem necessary, and to present all bills for expenses thereby accruing, to the city council for approval; and generally, to perform such other duties as may be enjoined on him by any ordinance or resolution of the city council. It shall also be the duty of the Overseer of the Poor to take

charge of the city poor house and premises thereto belonging and of the poor therein.

SEC. 6. *Be it further ordained,* That the City Engineer shall do and perform, within said city, all engineering and surveying and such other duties pertaining to his office as may from time to time be prescribed to him by ordinance, order or resolution of the city council, or cause the same to be done by some competent person. He shall, when requested so to do, survey any private lot in said city into so many parts or divisions as may be desired, and put down the necessary stakes; designate, when requested by any person about to build a house, or fence, or grade, or make a sidewalk, the line of a street, lane, avenue or alley on which such house or fence is to be erected, or sidewalk made, and also the grade of such street, lane, avenue or alley; and make out and deliver to individuals, certificates of all surveys made at their request.

SEC. 7. *Be it further ordained,* That it shall be the duty of the Clerk of the Market to superintend the whole of the market lot, and take charge of the market house, and all other buildings and fixtures that may be erected on said market lot, so as to prevent and punish, or cause to be punished, all injuries and damages which may be done to the same; keep the market in a clean and wholesome state; prefer complaints before the Police Magistrate's court for all breaches of any ordinance or parts of ordinances, relating to the market, whenever suit is necessary to enforce the payment of any fine, forfeiture or penalty accruing therefrom; rent out, and lease from time to time, all stalls, benches, blocks, or other privileges and appurtenances thereunto belonging, which the committee on markets may direct to be rented and leased, on the best possible terms on the behalf and in the name of the said city, for any term not exceeding one year at a time; demand, sue for, recover and receive the rents accruing, or distrain and sell forthwith any property of the lessee found within the limits of said city for the same; receive all fines, forfeitures and penalties, or other sums of money accruing under any provision of any ordinance regulating the market, keeping a true and accurate account thereof in a book kept for that purpose, and pay over all such money to the

city clerk, taking his receipt therefor, and accounting with the city council at each stated meeting: maintain peace and good order on and about the market lot at all times, and particularly during market hours. And the said clerk is hereby authorized, whenever it shall be necessary to maintain peace and good order, to arrest without precept or warrant all persons who may be found in and about said market lot, drunk, fighting, quarrelling, reveling, threatening, swearing, black-guarding, pilfering, stealing, robbing, cheating, swindling, or otherwise disturbing the good people at or about said market, or committing other offences against the ordinances of said city, or the laws of this State, and confine such offenders in the jail of the county or city, or hold them to special bail until such time as his other duties will allow him leisure to carry such offenders before the Police Magistrate's court of said city, or until he shall have opportunity of turning such offenders over to the custody of the City Marshal or Police Constable, to be dealt with according to the ordinances of said city and the laws of the land; and whenever it may be necessary to require assistance in making any such arrest, he may call on the bystanders so to assist, and every such bystander shall render such aid, or he shall be subject to the same penalties and proceedings as the offenders; *Provided*, however, that any person so arrested may be discharged from such arrest on payment to said Clerk, Marshal or Constable all penalties that may be annexed to any of said offences.

SEC. 8. *Be it further ordained*, That it shall be the duty of the Harbor Master to superintend the public landing, and to cause all the provisions of any ordinance relative thereto to be carried into execution, and generally, to do and perform all duties therein enjoined on him, or that may hereafter be imposed by any ordinance or resolution of the city council.

SECTION 9. *Be it further ordained*, That the Fire Warden shall do and perform all the duties that may be required of him by any ordinance relating to the prevention and extinguishment of fires within the limits of said city.

SEC. 10. *Be it further ordained*, That it shall be the duty of the Sexton to attend to the digging of all graves in the

"Quincy Cemetery," the conveyance thereto of those to be interred therein, and the closing of the graves; keep a journal or a book, in which he shall record all interments, the time when made, the age and residence of the individual interred, and file a transcript therefrom in the office of the City Clerk on the first day of January, April, July and October, which transcript the city clerk shall record in a book kept for that purpose; and finally, to see that the enclosures and grounds of said cemetery are kept in good order and condition.

SEC. 11. *Be it further ordained,* That it shall be the duty of the Wood Measurer, at all reasonable hours, to attend in any part of said city, when required, and then and there accurately measure any fire wood that may be shown to him for that purpose, and give to any person requiring the same, a certificate of the quantity so measured.

SEC. 12. *Be it further ordained,* That it shall be the duty of the measurer of lumber and other building materials and mechanical work, at all reasonable hours, to attend in any part of said city, and then and there inspect and measure all such lumber and other building materials, and also measure such kinds of mechanical work, as may be shown to him for the purpose, and give to any person requiring the same a certificate of any such measurement and inspection.

SEC. 13. *Be it further ordained,* That the City Clerk, Clerk of the Market, Harbor Master, Marshal, Street Commissioner, School Superintendent, City Engineer, Sexton, and Treasurer, shall, before entering upon the duties of their several offices, give bond to the city of Quincy, with sufficient security, to be approved by the city council, in such sum as the council may direct, conditioned for the faithful discharge of their several duties; and each officer appointed by the city council shall also subscribe an oath or affirmation, that he will impartially and to the best of his judgment and ability discharge the duties of his office.

SEC. 14. *Be it further ordained,* That any officer appointed by the city council may be removed by a majority of said council for incompetency, or any dereliction or violation of duty, on the complaint in writing of any inhabitant of said

city, or whenever the said council shall think the interests of said city require such removal: *Provided*, however, that no officer shall be removed as aforesaid, until he shall have notice of such intended removal and of the charge or charges preferred against him, served on him by the City Clerk, and an opportunity to exculpate himself before said council.

SEC. 15. *Be it further ordained*, That each officer herein mentioned, on his resignation, removal, or expiration of his term of office, shall deliver to his successor, all books, papers, or other property pertaining to such office.

SEC. 16. *Be it further ordained*, That each officer herein mentioned shall receive such salary or other compensation for services as the city council may, from time to time, by ordinance or otherwise determine.

SEC. 17. *Be it further ordained*, That each and every officer of said city, receiving money belonging to said city, is hereby required, at each stated meeting of the city council, to render an account of all such money received, and whether the same has been paid into the treasury, unless there be a special provision to the contrary.

SEC. 18. *Be it further ordained*, That whenever there shall be a vacancy in any of the offices provided for by this ordinance, or that may hereafter be provided for by any ordinance, by reason of resignation, removal or otherwise, the city council shall fill such vacancy at the next stated meeting thereof, unless the interests of said city should sooner require.

SEC. 19. *Be it further ordained*, That in the election or appointment of all city officers by the city council, the candidate for each office who shall receive the highest number of votes shall be declared elected..

SEC. 20. *Be it further ordained*, That it shall be the duty of the City Physician to attend professionally upon all city paupers, and also upon all persons who may be assisted by the Overseer of the Poor, as contemplated in sections "4 and 5" of an Ordinance entitled "An Ordinance Relating to the Poor," when thereto required by the Overseer of the Poor, and as their wants shall demand.

SEC. 21. *Be it further ordained*, That whenever in the opinion

of the city council or of the Mayor, it may be necessary to employ counsel to act on behalf of the city in any suit, prosecution, or other matter, the Mayor may employ such counsel, who shall be paid a reasonable compensation out of the city treasury..

SEC. 22. *Be it further ordained,* That it shall be the duty of the Superintendent of Schools, to take the charge and direction of public schools within the city, in manner provided by ordinance, and to perform such duties as may be required of him by the city council.

NO V.

An Ordinance Relating to Licenses.

- Sec. 1. Shows and public entertainments prohibited without license.
2. Stores, Broker and Exchange Offices, Taverns, Peddlers, and Auctions.
3. What considered a public show.
4. How license obtained.
5. Temporary license how obtained.
6. Clerk may grant.
7. Penalties for not obtaining license.
8. Auctioneers to be licensed. City Council may cancel. To give bond.
9. Auctioneers to make report of sales. Contents of report. Commissions to city.
10. Penalties. Sale of wine, spirituous and malt liquors and cider, prohibited.

SECTION 1. *Be it ordained by the City Council of the city of Quincy,* That no person shall set up any public show or exhibition, within the limits of said city, without having first obtained a license therefor from the city.

SEC. 2. *Be it further ordained,* That no person shall set up or keep any store, place for the sale of any kind of merchandize, or ordinary, broker, pawn-brokers' exchange, loan or money exchangers' office, or hawk or peddle any goods or merchandize or sell any goods or merchandize or other prop-

erty at auction, or keep any tavern within the limits of the city, without having first obtained a license therefor from said city.

SEC. 3. *Be it further ordained,* That all public shows, exhibitions [and entertainments, or other public meeting, where pay for admittance shall be required, except ladies' fairs, library lectures and concerts of music by citizens of Quincy, shall come within the provisions of the first section of this ordinance.

SEC. 4. *Be it further ordained,* That the city council, at any meeting thereof, may grant a license for any of the foregoing purposes, on a written application therefor, which application shall specify the business for which a license is desired, the average amount of stock, when the application is for a store license, and the place where said business is to be carried on; and the applicant shall pay for such license such a sum as the city council may determine: *Provided*, that if business is carried on in a different place or manner, or to a greater amount than that stated in the license, the city council are hereby authorized to require such additional sum as they may think proper, which additional sum shall be paid to the city Clerk on demand; and if any such licensed person shall fail to pay the same on such demand, the same shall be collected as debts in other cases, or the city council may cancel such license.

SEC. 5. *Be it further ordained,* That whenever any person shall wish to procure a license for any of the purposes mentioned in this ordinance, for a less term than three months, he shall file with the city clerk an application as specified in the fourth section of this ordinance, which the clerk shall present to the city council, if in session, and if not in session, to the Mayor, and in case of the absence or inability of the Mayor the Clerk shall determine the amount to be paid by the applicant, and upon the payment thereof and fees, the city Clerk shall issue to the applicant a license as in other cases.

SEC. 6. *Be it further ordained,* That the city Clerk, when the city council shall not be in session, on the proper application and upon the payment to him of five dollars for the use

of the city, may grant a license to any person, in all cases where license is authorized and required under any ordinance of the city, until the next meeting of the city council. The clerk shall at such next meeting present such application to the city council, who shall act upon the same, and the amount so paid by the applicant shall be allowed him as a part of the sum determined upon for a license in the case by the city council.

SEC. 7. *Be it further ordained,* That any person who shall violate the provisions of this ordinance, or of any other ordinance of the city relating to licenses, or requiring a license, and where not otherwise specially provided, shall forfeit and pay to the city of Quincy a sum not exceeding one hundred dollars, in the discretion of the Police Magistrate's court, which shall be recovered in the same manner as other penalties and fines for breach of city ordinances, are recovered.

Sec. 8. *Be it further ordained,* That when any person or persons shall wish to exercise the business of a common auctioneer, within the limits of the city, he may obtain a license thereto from the city clerk, authorizing him or them to act as such common auctioneer within the city, subject however, to the approval of, and to be at any time cancelled by, the city council for the period of one year, upon the payment of fifty dollars and at that rate for a shorter time upon such person or persons, executing a bond to the city of Quincy in the penal sum of one thousand dollars, or more if required at any time by the city council, and conditioned for the faithful discharge of his duties as such auctioneer, and for the payment of all moneys which shall come to his hand as such auctioneer, to the person or persons entitled thereto, and for the payment to the city of all commissions which may accrue to said city in his business under any ordinance; which bond shall be filed in the city clerk's office.

SEC. 9. *Be it further ordained,* That such auctioneer shall make a written report to the city council or the city clerk, once in every three months; which report shall be under oath and shall set forth the names of persons for whom he may have made sales; the time of each sale, the kind of property,

and amount sold for each person, and the total amount of sales for the preceding three months, and which report shall distinguish between property brought to the city to be sold at auction and that brought for private and other purposes in the ordinary routine of business; and for the purpose of enabling such auctioneers to ascertain this fact, he may require any person procuring such sale to be sworn and examined in this respect. And such auctioneer shall at the time of making such report pay the city clerk for the use of the city five per centum on all sales of property brought to the city, to be sold at auction, and one-half per centum on all other sales.

SEC. 10. *Be it further ordained,* That every auctioneer aforesaid, who shall fail to make the report provided for in the 9th section of this ordinance, or who shall make a false report, or who shall exercise the business, or hold himself out as a common auctioneer within the city, without license, and every person procuring any property to be sold at auction, who shall refuse to make the oath and submit to the examination mentioned in said section of this ordinance, shall be subject to the same forfeitures and penalties provided for in the seventh section of this ordinance. No person shall, within the limits of the city, sell, barter or exchange any spirituous liquors, wine, fermented or malt liquors, or cider, in a less quantity than one quart, except for purely medicinal, sacramental or mechanical purposes; and every person offending in this respect, shall be subject to the same forfeitures and penalty provided for in the seventh section of this ordinance.

NO. VI.

An Ordinance Regulating the Sale of Lumber.

- SEC. 1. License to be obtained to sell Lumber. City Clerk to issue License. Proviso as to persons selling.
2. Raftsmen and others to obtain License.
3. Harbor Master and Marshal to enforce this Ordinance.
4. Penalties for violation.

SECTION 1. *Be it ordained by the City Council of the city of Quincy,* That lumber, including shingles, lath and square timber of every variety kept in the city for sale, shall be deemed merchandize, and the venders thereof shall be required to take out a special license therefor, to be denominated "lumber license," for which they shall pay to the city the same rates that are or shall be charged for store license; and no person shall be allowed to sell any of said articles within the limits of said city, without having procured said special license therefor, exclusive and independent of all other licenses, from the city clerk; *Provided*, however, that this ordinance shall not apply to any resident of the city not engaged in rafting or vending lumber, who may sell any single lot of lumber in the ordinary course of dealing, and not for the purpose of his gain or profit; nor shall this section be so construed as to include any of the above mentioned articles of merchandize manufactured within the city of Quincy or county of Adams, or to lumber sold to lumber merchants or dealers to sell again in said city, in strict accordance with this ordinance.

SEC. 2. *Be it further ordained,* That hereafter no owner or agent, or commander of any steamboat, raft or other craft, or any other person not an actual resident of said city, shall be allowed to sell within the limits of said city, any lumber, shingles, lath or square timber, except to lumber merchants, or unless the same shall have been manufactured within the said city of Quincy or county of Adams, as provided in the first section of this ordinance, without having obtained a license from the city therefor; for which license each person applying for the same shall pay five per cent. on the amount of his stock proposed to be offered for sale by him duly certified and sworn to.

SEC. 3. *Be it further ordained,* That it shall be the duty of the City Harbor Master, Police Constable and of the City Marshal, to inform all lumber dealers of the city and all persons landing for sale any lumber or raft of lumber within the city, of the provisions of this ordinance, and to collect and pay over to the city clerk from all raftsmen, agents or other persons embraced within the provisions of this ordinance, the per centage and tax imposed by this ordinance. It shall be the duty of said Harbor master, Police Constable and of said City Marshal, to cause all persons violating the provisions of this ordinance, to be prosecuted and the penalties herein provided for to be collected; *Provided*, that the failure to give the notice before mentioned, shall not defeat the collection of any penalty herein imposed.

SEC. 4. *Be it further ordained,* That any person who shall violate the provisions of this ordinance, shall for every offence forfeit and pay fifty dollars, one-half of which shall be paid to the informer, and the balance into the city treasury, to be recovered in the name of the city, as other penalties are in case of violation of city ordinances.

NO. VII.

An Ordinance to restrain Billiard Tables.

SEC. 1. Billiard Tables to be Licensed.

2. Penalty.

SECTION 1. *Be it ordained by the City Council of the city of Quincy,* That no person shall keep a billiard table within the limits of the city for playing billiards, without having first obtained a license therefor from the city council; which license shall be granted for one year on payment to the city clerk of the sum of twenty-five dollars, and at that rate for a shorter time.

SEC. 2. *Be it further ordained,* That any person who shall violate the provisions of this ordinance, shall forfeit and pay to the city not less than five nor more than fifty dollars for

every offence, which shall be collected as other penalties are for violation of city ordinances.

NO. VIII.

An Ordinance to Define and Prohibit Nuisances.

- Sec. 1. Relating to buildings and other obstructions— notices for removal to be given—penalty for not complying therewith—exception in favor of persons building, &c.
2. Certain other nuisances defined—penalty—notice for removal—penalty for not complying therewith—notice, how given and to whom—conditional exceptions.
3. Dead animals not to be brought into the city, or left to putrify—penalty, &c.
4. Dogs and sluts, hogs and pigs, running at large, declared nuisances.
5. Lots to be so graded as to prevent stagnant water—notice to fill up lots to be given—penalty for not complying therewith, and course to be pursued by City Council.
6. Owner of dead animals to bury or remove same—penalty for failure—shall pay expense, if done by city.
7. Privies, how built—when a nuisance—penalty.
8. Duty of Marshal on complaint of nuisance—notice to abate—prosecution on failure.
9. Citizens may complain of any nuisance—Marshal's duties.— Shall be abated—expense of abatement. Mayor's duties.— City Council may declare nuisance and order abatement. Marshal to abate—expense of same.
10. Owner to keep premises free of filth—penalty for failure— Marshal to remove—expense of same.

SECTION 1. *Be it ordained by the City Council of the city of Quincy,* That if any person shall place, or erect, or cause to be placed or erected on any public ground, or in any public street, lane, avenue or alley of said city, any building or other obstruction, the same shall be deemed a nuisance; and any person so offending shall be notified by the Street Commissioner in writing, to remove the same on or before a day to be specified in said notice, and on failure to comply with the same, such person shall forfeit and pay for the use of said city, the

sum of not less than three nor more than twenty dollars; and the Street Commissioner shall forthwith cause such building or other obstruction to be removed at the expense of the person so offending, which fine and expense shall be collected as in other cases; *Provided*, that any person engaged in erecting a building or fence, or improving any lot on any such street, lane, avenue or alley, may receive a written permission from the Street Commissioner to deposit materials therein, and contiguous to such lot for such length of time as said Street Commissioner may deem necessary for such erection and improvement; and *Provided further*, that any person desirous of obtaining such permission shall pay therefor the sum of fifty cents per week; and that such permission shall not extend to more than one-half of the width of the side walk adjacent to such improvement, or to more than fourteen feet of the street adjacent to said side walk, the gutter always being left free and unobstructed.

SEC. 2. *Be it further ordained*, That if any person shall erect or maintain, or cause to be erected or maintained, any obstruction across any water course or ravine within the limits of said city, so as to make stagnant water therein, or shall deposit any noxious or offensive matter, earth, stones, straw, hay, manure or any other article or substance whatever which may tend to obstruct the gutter of any street, lane, avenue or alley, or endanger the health of the citizens, or shall conduct into any street, lane, avenue or alley of said city, through sewers or otherwise, any filthy or unclean water from his kitchen, house, shop or manufactory; or shall keep or maintain privy-vault, hog-pen, manure or sink-hole, in such place or manner as shall be offensive to the neighborhood in which the same may be, or be likely to be injurious to the health of any of the citizens; or shall erect, keep up or maintain any slaughter-house, the same shall be considered a public nuisance. Any person who shall offend in any of the foregoing respects, shall forfeit and pay for the use of said city, a sum not less than five dollars nor more than fifty dollars for every such offence, and shall be notified by the City Marshal or Street Commissioner to remove any such nuisance, and to purify and cleanse any

such place within a reasonable time; and any person failing to comply with such notice, shall forfeit and pay for the use of said city, the sum of two dollars for every twenty four hours any such nuisance may be suffered to remain, and all expenses attending the removal thereof. If the person owning any such house, lot or other place, is not a resident of said city, or cannot be found, the City Marshal or Street Commissioner may remove the nuisance at the expense of the city; *Provided*, that in case of erecting, keeping, or maintaining any slaughter-house, or other place where an offensive business is carried on, notice shall be given in writing to desist from pursuing any such slaughtering or other offensive business, and to purify and cleanse any such place within a reasonable time; and *Provided further*, that any owner or occupant of any lot in said city, wishing to improve the same, shall not be liable to the provisions of this ordinance, if he raises the grade thereof so that no stagnant water shall stand thereon, said grade to correspond with that of the adjacent street, lane, avenue or alley, and also *provided further*, that in no such improvement, shall any permanently running water be obstructed.

SEC. 3. *Be it further ordained*, That if any person shall bring or cause to be brought, within the limits of said city, any dead animal, and leave the same to putrify therein; or whoever, being the owner or possessor of any animal which shall die therein, and knowing of its death, shall not cause the same to be removed, shall forfeit and pay, for the use of said city, the sum of five dollars for every such offence; and the city marshal shall cause the same to be removed at the expense of any such person so offending, which fine and expense shall be collected as in other cases.

SEC. 4. *Be it further ordained*. That all hogs, pigs, dogs, and sluts, running at large contraay to the provisions of any ordinance relating thereto, are hereby declared to be nuisances, and shall be dealt with as therein provided.

SEC. 5. *Be it further ordained*, That all lots of land, within the limits of said city, shall be so graded by the owners thereof as to prevent standing or stagnant water thereon; and the owner of each and every lot whereon any such standing or

stagnant water may be, shall be notified, in writing, by the city marshal, or street commissioner, to fill up and grade the same within a reasonable time, so as to prevent any such nuisance; and any person failing to comply with such notice, shall forfeit and pay, for the use of said city, the sum of five dollars, and the city marshal or street commissioner shall forthwith report such failure to the city council; and the city council shall take such measures relative thereto, and for filling and grading the same, as are provided in cases of refusal to make or repair sidewalks.

SEC. 6. *Be it further ordained,* That whenever any dead animal shall be within the limits of said city, as mentioned in the third section of this ordinance; or otherwise, the owner and the person in whose possession the same may be, or may have last been, shall, having knowledge thereof, within twenty-four hours thereafter, bury the same at least four feet under ground, or shall remove the same one-half mile beyond the limits of the city, and one-fourth of a mile beyond the residence of any family, office, or place of business; and any person failing to do so, shall forfeit and pay to the city of Quincy not less than five, nor more than fifty dollars, and shall pay to the city the expense of such burial or removal, should the same be done by the city authorities. This section shall in nowise affect any duty or penalty provided for in the third section of this ordinance.

SEC. 7. *Be it further ordained,* That no person or persons shall construct on his or her premises, any privy or privy vault within less than one hundred feet of any dwelling, store, office, or place of work or business, unless the vault be at least ten feet deep from the surface of the ground, and walled from bottom to top with stone, bricks, or wood, nor shall any such vault be within eighteen inches of the line of the adjoining premises. Any privy constructed contrary to the provisions of this section, within the limits of the city, shall be deemed a nuisance; and any person violating the provisions of this section, shall forfeit and pay to the city of Quincy not less than five, nor more than one hundred dollars.

SEC. 8. *Be it further ordained,* That it shall be the duty of

the city marshal, on complaint of any citizen, to examine any privy or privy vault complained of, and if in his opinion it be offensive to the neighborhood, or to any person, he shall notify the owner or occupant thereof to abate the same; and if such owner or occupant neglect to do the same within three days thereafter, then the said marshal shall make due complaint, for prosecution in the premises, to the police magistrate's court.

SEC. 9. *Be it further ordained,* That in case of any sink, gutter, private sewer, or any other thing within the limits of the city, of an offensive or unhealthy character, upon the premises or within any building owned or occupied by any person, any citizen can make complaint thereof to the city marshal, whose duty it shall be to examine the matter or thing complained of, and if in his opinion the same is of an offensive or unhealthy character, he shall notify the owner or occupant thereof to abate the same; and if such owner or occupant shall not within three days thereafter abate the same, said city marshal shall make due complaint thereof, for prosecution, to the police magistrate's court. And in all such cases, and in any case of nuisance, the mayor may direct the marshal or police constable forthwith to abate such nuisance, and it shall be his duty forthwith to abate such nuisance, and the owner or occupant of the premises, or of the thing abated, shall be liable to pay to the city the expense occasioned thereby.

SEC. 10. *Be it further ordained,* That the owner, owners, occupant, or occupants, respectively, of each lot, house, premises, or any appurtenance thereto, of whatever description, shall keep the same and every part thereof free of all filth, material or thing offensive to the neighborhood about the same, or of an unhealthy character, or which would be likely to contribute to disease, contagion or infection of any kind; and in case of failure so to do, each and every such owner, owners, occupant or occupants, shall forfeit and pay to the city of Quincy not less than three, nor more than one hundred dollars; and the city marshal shall cause the same to be cleansed and purified, and the owner, owners, occupant or occupants thereof, and each of them, shall be liable to the city for all expense occasioned thereby.

NO. IX.

An Ordinance relating to Dogs Running at Large.

- SEC. 1. Dogs and Sluts to be prohibited from running at large, except the same are registered, &c. Tax to be paid annually.
2. Dogs and Sluts running at large contrary to Ordinance, declared nuisances. Penalty therefor.
3. Shall be killed by the Police Constable, after notice. Notice given. Fee for killing.
4. Police Constable not to be prevented from performance of duty under this Ordinance. Penalty.
5. Exceptions under this Ordinance.
6. Mayor may cause to be killed.

SECTION 1. *Be it ordained by the City Council of the City of Quincy,* That no dog or slut kept within the limits of said city, shall run at large within said limits, unless the owner thereof shall put upon the neck of such dog or slut a collar made of metal, or a collar having a metallic plate affixed thereto, on which the name of such owner shall be inscribed in plain letters, and unless such owner shall also give his name and a description of such dog or slut to the Police Constable, who shall register the same in a book kept for the purpose, and at the same time pay to said Police Constable a tax of one dollar for each and every dog, and five dollars for each and every slut by him kept and suffered to run at large, and thereafter annually pay a like tax on such dog or slut; and the Police Constable shall, after deducting the fee for registry, pay the balance of such tax into the treasury, taking a receipt therefor.

SEC 2. *Be it further ordained,* That every dog or slut running at large contrary to the provisions of this ordinance, shall be deemed a nuisance, and the owner thereof shall forfeit and pay for the use of said city the sum of five dollars.

SEC. 3. *Be it further ordained,* That every dog or slut running at large contrary to the provisions of this ordinance, shall be killed by or under the direction of the Police Constable, and for which he shall be paid out of the City Treasury, fifty cents for each dog or slut so killed.

SEC. 4. *Be it further ordained,* That no person shall in any way prevent, or attempt to prevent the Police Constable, or any person acting by his direction, from performing any duty required by this ordinance; and every person so offending shall forfeit and pay for the use of said city, not less than ten dollars, nor more than twenty-five dollars for every such offence.

SEC. 5. *Be it further ordained,* That this ordinance shall not apply to any dog or slut under the age of two months, or to any dog or slut brought into the city by its owner, such owner not being a resident, until such dog shall have been in the city three days at least.

SEC. 6. *Be it further ordained,* That the Mayor may from time to time, on an alarm of mad dogs, in his discretion prohibit, by notice in some public newspaper, all dogs from running at large within the limits of the city, and may appoint deputies with authority to kill all dogs or sluts running at large within the city; and such prohibition shall continue so long as the public safety, in the opinion of the Mayor, may require; and such prohibition shall remain in force until the Mayor shall give public notice of the discontinuance thereof.

NO. X..

An Ordinance relating to Swine Running at Large.

- SEC. 1. Hogs and Pigs running at large declared nuisances—penalty therefor.
2. City Marshal to take up and confine all such Hogs and Pigs—if not redeemed to be disposed of—Marshal may employ help—interference with Marshal in performance of his duty prohibited, and penalty.
3. Hog or Pig to be restored on payment of penalty and fee—if not redeemed, how sold—sale not to release owner from penalty and costs.
4. Money received from sales, how disposed of—fees of Marshal.
5. Additional fee to Marshal.
6. No bidder at sale, Marshal to bid in the Hog or Pig for fees—owner may redeem.
7. How advertised.

SECTION 1. *Be it ordained by the City Council of the city of Quincy,* That every hog or pig found running at large in any street, lane, avenue or alley of said city, or in any uninclosed place within its limits, is hereby declared a nuisance; and the owner of each and every such hog or pig shall forfeit and pay, for the use of said city, the sum of one dollar for every twenty-four hours such hog or pig shall run at large.

SEC. 2. *Be it further ordained,* That the City Marshal is hereby required to take up and confine in a secure pen, pound or other place provided by him for that purpose, every hog or pig found running at large, and retain the same at least twenty-four hours; and if not redeemed within said twenty-four hours he shall dispose of them as hereinafter directed; and the said Marshal in the performance of the duties required by this ordinance, may employ at his own expense all necessary aid; and any person who shall prevent, or attempt to prevent said Marshal, or those employed by him, from performing any of the duties required by this ordinance, shall forfeit and pay, for the use of said city, not less than ten dollars, nor more than twenty-five dollars, for every such offence.

SEC. 3. *Be it further ordained,* That if the owner of any such hog or pig shall, within twenty-four hours after the same

is taken up, pay the City Marshal the penalty herein provided and the fee for taking up and keeping the same, such hog or pig shall be restored to the owner; and if the owner does not redeem the same within said time by payment aforesaid, the City Marshal shall, within the next twenty-four hours, expose and sell the same at public auction to the highest and best bidder, for cash, between the hours of nine and ten o'clock in the forenoon at the place of confinement; *Provided*, however, that the sale of any such hog or pig shall not release the owner from the penalty and costs incurred for permitting the same to run at large.

SEC. 4. *Be it further ordained*, That the money received on the sale of any such hog or pig, after deducting the penalty and twenty-five cents for taking up and keeping, and fifty cents for selling such hog or pig, shall be paid to the owner thereof on application to the City Marshal within six months after such sale; but if no application is made, the balance over and above the Marshal's compensation shall be paid to the Treasurer, for the use of the city-

SEC. 5. *Be it further ordained*, That the City Marshal, in addition to the foregoing fees, is hereby authorized to retain, as fees, one half of all money by him received as penalties under this ordinance, and required to pay the balance into the treasury.

SEC. 6. *Be it further ordained*, That if no person shall bid at any sale the whole amount of costs for taking up, keeping and selling, provided for in this ordinance, it shall be lawful for the City Marshal for himself, to bid thereon for the amount of his costs and charges; and, no one bidding more, the property offered shall be struck off to the Marshal as in other cases. And the owner of any hog or pig taken up; as aforesaid, may redeem the same at any time before sale of the same, as provided for in the third section of this ordinance-

SEC. 7. *Be it further ordained*, That the City Marshal shall, before selling any hog or pig under this ordinance, advertise the same by a written or printed notice, giving a description of the property and the time and place of sale, posted up at the front of the court house in said city for at least twenty-four

hours before the time of sale, and said Marshal may in his discretion, adjourn such sale from day to day, if necessary to get bidders. And, if said Marshal have reason to believe that any hog or pig so taken up, is owned by any person residing without the limits of the city, it shall then be his duty to advertise the same, as aforesaid, for forty-eight hours.

NO. XI.

An Ordinance Relating to Filling up of Lots and Abating Nuisances.

- SEC. 1. Owners to keep lots with grade. Declared nuisance when. Owner to fill up. Penalty for failure.
2. Lot may be sold for filling up. City may fill up. May sell for expense.
3. Mode of procedure and costs.

SECTION 1. *Be it ordained by the City Council of the city of Quincy,* That it shall be the duty of all owners of lots within the limits of the city, to keep the same and the surface thereof of such level and height as will cause the water to run therefrom to and along the grade of some adjoining street, alley, culvert or sewer erected under authority of the city. And whenever, from whatever cause, whether from erecting or grading streets, alleys, or sidewalks, under authority of the city, or from any other cause, any lot or part of lot shall be below the grade of the adjoining streets, alleys or sidewalks, so that the water thereon will not run off the same and from the surface thereof, but shall thereon stand and remain, whether stagnant or not, such lot or part of lot, in such condition, and in such quantity, as held or owned by any person or persons at the time of the commencement of such nuisance, is hereby declared to be a public nuisance. And the owner or owners thereof shall forthwith cause such nuisance to be abated, by filling up the ground where the water may remain and stand, to such height as will cause such water to run off such lot or part of lot through and along said street, alley, culvert or sewer erected under authority of the city. And every such owner

or owners who shall fail so to do, for the period of ten days, shall forfeit and pay to the city of Quincy, for each and every ten days he or they shall permit such nuisance to remain unabated, as aforesaid, not less than five nor more than one hundred dollars.

SEC. 2. *Be it further ordained,* That in case the owner or owners of any such lot or part of lot shall fail to cause any such nuisance to be abated, as aforesaid, the city Council may cause to be advertised and sold by the city Clerk, such lot, or any portion thereof, to any person who shall bid the least quantity of such lot for the abatement of such nuisance, in manner aforesaid; and the city Clerk shall execute to the purchaser a deed for the portion of such lot sold upon the order of the city Council, such nuisance having been lawfully abated, in manner before mentioned, by such purchaser; and in case of any such nuisance upon any lot or part of lots, and of failure of the owner or owners thereof to abate the same, as aforesaid, the city Council may, if deemed advisable, cause an assessment of the expense of abating such nuisance to be made by the city Engineer, which assessment shall be made in writing, returned to, and recorded by, the city Clerk in his office. The assessment aforesaid shall exhibit the total expense of abating such nuisance, and in case the same shall be upon the premises of more than one person, and known to said Engineer, said assessment shall exhibit an apportionment of such assessment upon each lot or part of lot, as the case may be, owned or claimed by different persons, as aforesaid, according to the estimated expense of filling or other work necessary upon each for the complete abatement of such nuisance, or the portion thereof to which such assessment may relate; and the city Council may cause such nuisance, or any portion thereof, to be abated by filling up or otherwise, at the expense of the city. Each lot and part of lot upon which such assessment shall be made, as aforesaid, shall be sold by the city Clerk for the satisfaction of the assessment aforesaid made upon them respectively, unless paid by the owner thereof, and such assessment shall constitute a special tax thereon according to the apportionment thereof, and shall be a lien, together with the costs of

sale, upon every such lot or part of lot from the time of the recording of such assessment, as aforesaid.

SEC. 3. *Be it further ordained,* That the sales provided for in this ordinance, shall be made upon the same notice and in the same manner, except that the Clerk shall make the sale, and the same right of redemption shall exist as is provided for in cases of sales for city taxes under the revenue ordinances of the city in force at the time of such sale, but a deed shall be executed to the purchaser upon his complying with the terms of sale, without further delay. The Clerk shall be entitled to the same fees and costs as may be allowed in similar cases by the ordinance last mentioned, when not otherwise provided for.

NO. XII.

An Ordinance relating to Streets, Alleys and Side Walks, and Street Superintendent.

- SEC. 1. When owners petition, damages released.
- 2. Paving and grading of Sidewalks.
- 3. Same to be done or paid for by owner. How done.
- 4. How special tax levied and collected. Proviso in case of infants.
- 5. How sidewalks repaired. Owner failing, city to repair and collect off lot.
- 6. Earth not to be removed from sidewalks or streets without permission.
- 7. General duties of Street Superintendent. St. Commiss'r to be.
- 8. How contracts let and bids for opened.
- 9. City Council to act on bids and determine rights.
- 10. Bonds to be given by contractors.
- 11. How claims against the city allowed. Auditing Committee appointed; their duties. Clerk's duties. No claim paid until audited.

SEC. 1. *Be it ordained by the City Council of the city of Quincy,* That in any case when any or all the owners shall petition for the opening, altering, extending, or widening of any street, alley or avenue, the city council shall cause the same to be done, if deemed by them advisable, but such peti-

tion shall be taken as a release of all damages by the several petitioners.

SEC. 2. *Be it further ordained*, That whenever it shall become necessary and expedient to pave and grade the sidewalks on any street, avenue or alley, or any part thereof, within the limits of said city, the city council shall pass an order to that effect, which order shall set forth the particular locality where such paving and grading is required to be done, and the time that is allowed for completing the same; and the publication of such order in the paper selected by the city council to publish their proceedings for the time being, shall be deemed a sufficient notice to the owner or holders of lots fronting on any such street, lane, avenue or alley, where any such paving and grading is to be done as therein specified.

SEC. 3. *Be it further ordained* That all such paving and grading shall be done in conformity with the grade of the street, lane, avenue or alley, under the direction of the Street Commissioner; and all expenses of paving, grading and repairing of any sidewalk shall be paid by the owners or holders of lots fronting where such paving, grading or repairing is to be done.

SEC. 4. *Be it further ordained*, That if the owner or holder of any lot or part of lot shall neglect to grade or to pave his sidewalk, in conformity with the order of the city council published as aforesaid, the Street Commissioner shall contract for the same to be done at the expense of the city, and shall make his report of the expense thereof to the city council, and the city council shall levy a special tax on such lot or part of lot respectively, in front of which the Street Commissioner may have contracted for any such grading or paving which tax shall be of sufficient amount to cover the expense thereof, together with all costs and expenses connected therewith; and immediately after such levy the city clerk shall advertise and sell the same, or so much thereof as may be necessary to pay the expenses and costs of such grading or paving and costs of sale. The advertisement and sale shall be conducted according to, and governed by the ordinances of the city in force at

the time of such sale, relating to the city revenue from taxes, and the same rights of redemption shall exist as may be provided for by such ordinances; *Provided*, however, that when any such lot, or part of lot is wholly or in part owned by a minor heir, and the guardian of such minor heir shall, by a petition to the city council, establish the fact of such minority and of his authority to act as guardian, and desire to make any special contract with said city council for having any such paving or grading done, the said city council are hereby authorized to instruct the Mayor, to enter into such contract; and a memorandum of the terms of such contract, so authorized to be made, shall be entered upon the journal of the council, and the further stipulation, that if the first payment of any such contract is not punctually made, the city council shall then proceed to levy a special tax as aforesaid, covering the amount of such contract, interests and costs, and the same proceedings shall be had as if no such contract had been made.

SEC. 5. *Be it further ordained*, That whenever any repairs may be necessary to be made on any sidewalk, the owner or holder of the lot fronting thereon, or his agent, shall be notified by the Street Commissioner in writing thereof, which notice shall set forth as near by as may be, the nature and extent of the repairs required to be made; and if any such owner, holder or agent shall fail to have such repairs made within ten days after notice as aforesaid, or should the Street Commissioner be unable by reason of there being no such owner, holder or agent a resident of the city to give such notice, he shall proceed as in cases of failure to pave and grade sidewalks, and the city council shall levy all necessary taxes, and cause the same to be collected in the manner prescribed in the preceding section.

SEC. 6. *Be it further ordained*, That no person shall be permitted to remove the earth or substance from the sidewalk of any street, alley or avenue, nor from any street, alley or avenue of the city, thereby leaving such sidewalk below the established grade, nor be permitted to fill any such sidewalk, street, alley or avenue above the said grade without special permis-

sion from the Street Commissioner. Every person violating this section shall forfeit and pay to the city of Quincy not less than one nor more than one hundred dollars.

SEC. 7. *Be it further ordained,* That the Street Commissioner of the city shall be superintendent of streets and all public works and improvements of the city, and he may appoint a deputy, with the consent of the city council, who shall discharge the duties which may be assigned him by the Street Commissioner and shall be under his direction. It shall be the duty of the Street Commissioner to see that the streets, alleys, avenues and sidewalks of the city are kept in repair and free from obstruction, and may for that purpose, at all times, call to his aid the City Marshal and Police Constable, to contract for the grading and opening of streets and repairing the same; to contract for the grading, paving and repairing of sidewalks, when the owners or holders of the lots fronting on the same, fail to do such grading, paving or repairing, and to make report to the city council in writing of the costs of all such grading, paving and repairing, fronting on the lot, premises, or part of lot of each owner, giving a description of each lot or part of lot and the owner's name; to superintend all grading, paving and other works and improvements of the city, or done by the city; to make, order or contract for the repair or improvement of any street, alley avenue, or any other improvement or matter relating to the public highways of the city; and generally to take charge of, and superintend all public property, improvements, works or other enterprise of the city, not otherwise specially provided for

SEC. 8. *Be it further ordained,* That in making any contract under this ordinance, or under any resolution of the city council, the Street Commissioner shall, if the amount thereof exceed fifty dollars, give notice to contractors of the work or improvement to be made, by a notice thereof published for ten days in some newspaper published in the city, or by hand bill, unless in case of emergency, when such notice may be dispensed with, and whenever the amount of such contract exceeds one hundred dollars, a like notice shall be given for fifteen days, unless in case of emergency, when, with consent of the

city council, such notice and the bidding hereinafter mentioned may be dispensed with, particularly describing the work or improvement to be let and contracted for, and requesting all persons, by a certain day and hour, to deposit with the city clerk any bid they may wish to make in writing and sealed; which said sealed bids shall, after the lapse of the time for bidding, be opened by the city clerk in the presence of the city council, or of the Mayor, and at least three Aldermen.

SEC. 9. *Be it further ordained,* That the bids in the last section of this ordinance mentioned, shall be laid before the city council as soon as practicable thereafter, and the city council shall determine who is the lowest bidder, and to whom the work of improvement bid for shall be awarded. If, however, the city council should deem it advisable not to accept any bid made they may do so, and shall thereupon direct no notice to be given anew, or may make such other order in the premises as to them may seem most to the interest of the city.

SEC. 10. *Be it further ordained,* That the notice for sealed bids, provided for in this ordinance, shall also notify all persons that no bids will be noticed unless the same be accompanied with a written guaranty of some responsible person; that should the bid be accepted, the bidder shall forthwith enter into sufficient bonds with security to be approved by the Street Commissioner or city council, conditioned for the performance of his contract, to perform such work or make such improvement according to the tenor of his said bid. And when any contract of any kind shall be made under this ordinance, or any resolution of the city council, when the amount thereof exceeds fifty dollars, the party contracting shall give bond to the city in such sum as the Street Commissioner or city council may require and with security to be approved by the Street Commissioner or city council, conditioned for the due and faithful performance of the work or improvement undertaken, and which said bond shall set forth the contract between the city and the party contracting to do the work or make the improvement.

SEC. 11. *Be it further ordained,* That no claim or demand against the city, unless the same be due by bond of the city,

for salaries of offices of the city, or of such a nature as to require only payment, the amount being certain, fixed and fully liquidated as to amount, or capable of being reduced to certainty by computation only, shall be paid without having first been examined, ascertained and certified to by the auditing Committee hereinafter provided for, and also ordered to be paid by the city council. The city council shall so soon as practicable appoint an auditing committee for the purpose aforesaid, to consist of one Alderman from each ward who shall hold his office until the next annual organization of the city council; and such committee shall be appointed at each annual organization aforesaid, or so soon thereafter as practicable, from year to year. It shall be the duty of the city clerk to lay before said committee all such claims presented for allowance, and said committee shall examine the same, and the proofs and allegations made, and may require special proof, and shall audit, allow or disallow as the rights of the parties and justice may require, and shall make report thereof in writing to the city council at each meeting thereof, which report shall be filed by the city clerk, and acted upon by the city council so soon as practicable thereafter.

NO. XIII.

An Ordinance Regulating the Quincy Cemetery.

- Sec. 1. Land appropriated for a Cemetery.**
- 2. Certain Divisions made into lots, &c.
- 3. Certificate to purchasers of lots and deed—forms thereof.
- 4. Interments, how made—fencing, &c., of lots regulated.
- 5. Fees for digging graves, &c.
- 6. Sexton to have charge of Cemetery.
- 7. Cemetery funds, how applied.
- 8. Penalty for digging graves without permission.
- 9. Trespassers, how dealt with.
- 10. Credit to be given. Notes to be collected.

SECTION 1. Be it ordained by the City Council, of the City of Quincy, That the tract of land purchased of E. B. Kimball

for a burial place, and particularly described in a deed from said Kimball to the President and Trustees of the town of Quincy and their successors in office, recorded in the Records of deeds in the county of Adams, book K. page 154, be continued for that purpose only, and called the "*Quincy Cemetery,*" and so designated in all certificates and bonds to purchasers of lots therein.

SEC. 2. *Be it further ordained,* That said tract of land shall be divided and set apart, as heretofore, to-wit: so much thereof as is included in the lots numbered from *One to Three Hundred and Twelve*, in the north and south divisions according to the survey thereof, shall be subject to entry and sale at ten dollars for each lot, one half to be paid in hand and the balance in six months; so much thereof as is designated in said survey as the "*Potter's Field,*" shall be for the interment of strangers and other persons, whose friends may so desire, on application to the Sexton, and the payment to him of one dollar toward the Cemetery fund, and so much of the said Potter's Field, as is designated as "*Stranger's Ground,*" shall be appropriated to the burial of individuals without charge.

SEC. 3. *Be it further ordained,* That every person purchasing a lot as aforesaid, on payment of the first instalment, shall be entitled to a certificate in the following form to-wit:

"Received at Quincy, this day of A. D. 18
Five Dollars, being the first instalment for Lot No. in
the "*Quincy Cemetery,*" and on payment of a further sum of
Five Dollars to the city clerk of said city of Quincy, the said
will be entitled to a deed of said lot.

City Clerk."

which certificate shall be signed by the city clerk, and entry made of all such sales made by him in a book kept for that purpose, specifying the number of the lot, the name of the purchaser, the price thereof, and date of the sale. On payment of the last instalment as herein provided, the purchaser shall receive a deed of the lot purchased, to be made and executed by the Mayor in the following form to-wit:

"Know all men by these presents, that the city of Quincy, in the county of Adams and State of Illinois, in consideration

of Ten Dollars, paid by the receipt whereof is hereby acknowledged, has granted, bargained and sold, and does hereby grant, bargain, sell and convey unto the said his heirs and assigns forever, Lot No. in the "Quincy Cemetery," a plat of which will be seen by reference to the records of said Adams county, in book K. page 154.

"To have and to hold said Lot No. to him the said his heirs and assigns forever for a burial place, and for no other purpose whatever, and subject to such regulations as shall be established by the city council in relation to said Cemetery; *Provided*, that such regulations shall not be repugnant to the spirit and intent of a deed of said land from Edward B. Kimball.

In testimony whereof, I, Mayor of said [SEAL] City of Quincy, have hereunto set my hand and caused the seal of said city to be affixed, this day of A. D. 185 . Mayor.

"State of Illinois, }
Adams County. } ss.

This day personally appeared

Mayor of said city of Quincy, personally known to me to be the person who executed, and whose name is subscribed to the foregoing deed, and acknowledged the same to be his free act and deed for the uses and purposes therein expressed.

J. P. [L. S.]"

SEC. 4. *Be it further ordained*, That all interments on private lots, or other parts of the cemetery, shall be made at least four feet deep, and the grave dug at least four and a half inches within the line of the lots; and all fencing, vaults or ornaments that may be erected by individuals on their lots shall be so erected as not to obstruct any of the alleys, walks or access to any of them; *Provided*, that any owner, in erecting a wall to enclose his lot, may build the same so as to extend a part, not more than four and a half inches on the adjoining lots.

SEC. 5. *Be it further ordained*, That the fees for the digging of graves, and for interments, shall be as follows, to wit: For each interment on private lots, two dollars, to be paid to the

sexton from the estate of the deceased; for each interment in the "Potter's Field," two dollars, to be paid in like manner, and where there is no such estate, or any individual liable therefor, the same shall be paid to the sexton from the city treasury; *Provided*, that in all cases where the sexton does not attend the corpse from the residence of the deceased to the burial place, the fee shall be one dollar.

SEC. 6. *Be it further ordained*, That the cemetery shall be under the care and supervision of the sexton, subject to the order of the city Council, for which he shall receive a reasonable compensation.

SEC. 7. *Be it further ordained*, That all funds (according to the provisions contained in the deed from said Kimball,) arising from the sale of cemetery, lots, or otherwise, after defraying the cost of the cemetery, shall be appropriated to the payment of the taxes, current expenses and improvements thereof.

SEC. 8. *Be it further ordained*, That any person who shall dig any grave in the cemetery, except under the direction of the sexton, shall forfeit and pay, for the use of said cemetery, the sum of five dollars for every such offence.

SEC. 9. *Be it further ordained*, That if any owner of a lot or lots in the cemetery shall trespass upon the rights of any other owner or owners of a lot or lots therein, or on any of the walks, alleys, or grounds therein, or shall refuse or neglect to comply with the regulations of said cemetery, he shall be liable for damages in an action by said city of Quincy, before any court competent to try the same.

SEC. 10. *Be it further ordained*, That any person wishing to purchase a lot in the Quincy cemetery, and who shall be unable at the time of application to make payment therefor, shall be permitted to execute and deliver to the city Clerk for the use of the city, a note with good security, to be approved by the city Clerk, payable three months after date. And if such purchaser shall pay one-half of the purchase money down, he shall have six months' credit on the other half, by giving note and security as aforesaid, and in either case shall be entitled to a deed for the lot purchased, when paid for. And it

shall be the duty of the city Clerk to cause to be collected, when due, all notes which shall be executed, or may heretofore have been executed for burial lots in said cemetery, and the proceeds thereof to account for to the city Council.

NO. XIV.

On Ordinance relating to Woodland Cemetery.

SEC. 1. Deeds for Lots to be made by Mayor.

2. Injuring fence, trees, shrubs, or any other thing of Cemetery. Amusements. Disorderly conduct. Turning in animals. Using profane language. Disturbing persons. Penalty for. Quincy Cemetery.

SECTION 1. *Be it ordained by the City Council of the city of Quincy,* That the Mayor of the city is hereby authorized and required to execute in the name of the city of Quincy and under the corporate seal thereof, any deed or deeds to any purchaser or purchasers of burial lots in Woodland Cemetery, on the written request of John Wood or his agent duly authorized by him to sell lots in said cemetery, the said John Wood or his agent preparing such deed or [deeds ready for execution, and paying the expense accrued thereby.

SEC. 2. *Be it further ordained,* That any person who shall break down, deface, hack, or in any manner injure the fence or enclosure of said Woodland Cemetery, or who shall tear down, deface, or in any manner injure any lot, enclosure, tomb stone, material erected at any grave, or any shrub, bush, flowers, or other thing or ornament within said cemetery, or who shall cut, hack or deface any tree or shrub, post, or in any manner injure the same, or any other thing of, standing on, or being within, said cemetery, or who shall in any manner injure the grass, herbage, streets, walks, ornaments, or other thing of said cemetery, whether belonging to the city, or private property, or who shall leave open any gate of the enclosure of the same, or of any private burial place therein, the same being done wilfully, negligently, or carelessly, or who shall therein

engage in any sports or amusements, who shall turn any beasts or animals therein, or who shall therein congregate for sports, plays, or amusements, or who shall therein conduct in a boisterous, rude, or indecent manner, or ill-treat any person therein, or therein use profane or indecent language, or in any manner disturb therein any burial party, or individual there being for lawful purpose, shall forfeit and pay to the city of Quincy, for every such offence, a sum not less than one, nor more than one hundred dollars. This section shall also apply to the Quincy Cemetery.

NO. XV.

An Ordinance Relating to the Prevention and Extinguishment of Fires.

- SEC. 1. Fire Warden shall appoint two Assistants to each Ward. Their duties. Absences provided for.
2. Fire Warden to inspect stoves, fire places, &c., semi-annually, or oftener, if required. Notify persons to make repairs.
 3. Stoves, fire-places, &c., that may be unsafe, not to be used, after inspection, until repaired. Penalty. Provision for appeal to City Council.
 4. Hay, straw, &c., not to be stacked within one hundred feet of any building. Penalty.
 5. Fires in frame buildings having no chimney, &c., prohibited. Penalty.
 6. Fire Warden to have charge of ladders, fire-hooks, and other fire apparatus, except engine. Keep them in repair. Penalty for taking without leave of Warden.
 7. Fire Warden and Assistants, on alarm of fire, to repair immediately to place thereof, and direct efforts for extinguishing the same, &c. Authorized to command aid. Penalty for refusing to obey.
 8. Powers of Fire Warden and Assistants at fires.
 9. Fire Warden or Assistants to examine houses and tenements, and report breaches of this ordinance.

SECTION 1. *Be it ordained by the City Council of the city of Quincy, That the Fire Warden shall, by and with the consent of the city Council, immediately after his appointment, appoint*

first and second assistant Fire Warden for each ward in said city, which assistants shall do and perform any of the duties devolving on the Fire Warden, whenever he shall direct; and whenever the Fire Warden shall not be present at any fire in said city, the assistants, in their respective wards, shall perform his duties, according to their seniority; and should the Fire Warden and both assistants in the ward in which the fire occurs, be absent, in that case the duties of Fire Warden shall be performed by the assistants of the adjacent ward according to seniority, and in case of their absence, by the assistants of the remaining ward according to seniority.

SEC. 2. *Be it further ordained,* That the Fire Warden, or his assistants by his direction, shall, immediately after their appointment, in April, and also in November, or oftener if thought proper, inspect all stoves, fire-places, and other places in which fire may be kept in said city, and all stove-pipes, chimneys, funnels, or other apparatus therewith connected, for the purpose of ascertaining whether the same are so fixed as not to endanger the building in which the same may be, or to which they may be attached, or to endanger any other building in the city; notify the occupants to make all necessary repairs, and see that the same are done within a reasonable time; and any such inspection shall be made, on the request of any citizen at any time, for the purpose of ascertaining the safety thereof.

SEC. 3. *Be it further ordained,* That whenever, in the opinion of the Fire Warden or of his assistants acting under his direction, any stove, fire-place, or other appurtenances for the conducting of smoke or heat from any such place, may be in such a state as to render the keeping of fire therein unsafe, he is required to order the occupant of the building in which the same may be, or with which the same may be connected, to discontinue the making of fire therein, and to make all necessary and proper repairs to render the keeping of fire therein safe, in the opinion of the said Fire Warden or his assistant inspecting the same; and if any person shall make a fire therein, and neglect to make such necessary repairs, after being

ordered so to do as aforesaid, the occupant of any such building shall forfeit and pay, for the use of said city, the sum of ten dollars for every twenty-four hours the same may remain without such repairs being made, and used as aforesaid: *Provided*, however, that any person, feeling himself aggrieved by the decision of the order of said Warden or assistant, as the case may be, may appeal therefrom to the city Council at the first meeting thereof after notice as aforesaid; but in all cases, the order of said Fire Warden, or assistant, to discontinue the making of fire therein, shall be complied with until the final decision of the city Council on such appeal.

SEC. 4. *Be it further ordained*, That no person shall, within the limits of said city, stack or cause to be stacked, any hay, straw, or other combustible material within one hundred feet of any building where fire may be kept; and every person so offending shall forfeit and pay, for the use of said city, the sum of five dollars, and five dollars for every twenty-four hours the same may be suffered to remain, after notice from the Fire Warden or assistants in the ward to remove the same.

SEC. 5. *Be it further ordained*, That no person shall build, make or kindle, or cause to be made or kindled, any fire in any frame building, plank or other temporary shed of lumber, or house made of plank or other lumber, without having a chimney, stove, or vault, in which to build, make or kindle such fire; and every person so offending shall forfeit and pay, for the use of said city, the sum of five dollars for every such offence.

SEC. 6. *Be it further ordained*, That the Fire Warden shall take charge of all ladders, fire-hooks, and other fire apparatus belonging to said city, excepting fire engines, and see that the same are kept in proper order and condition, and in their proper place of deposit, when not in actual use, or undergoing repairs; and if any person shall take from said places of deposit any such apparatus, except under the direction of the Fire Warden, to be repaired, or on the alarm of fire, except the fire engines, he shall forfeit and pay, for the use of said city, the sum of five dollars for each and every offence, and

five dollars for every twenty-four hours he shall neglect to return the same to its proper place of deposit, after being notified by the Fire Warden or assistant so to do.

SEC. 7. *Be it further ordained,* That the Fire Warden and his assistants shall, upon notice of the breaking out of any fire in said city, repair immediately to the place thereof, vigorously exert their authority, and use their best endeavors to extinguish the same, and prevent the spreading thereof, and to preserve and protect the property endangered by the same; and all persons are hereby required to pay due respect and obedience to their commands; and any person who shall neglect or refuse so to do, shall forfeit and pay, for the use of said city, the sum of five dollars for every such offence; and the Fire Warden or any assistant so aggrieved, shall be a competent witness to prove such offence.

SEC. 8. *Be it further ordained,* That during the continuance of any fire, the said Fire Warden and assistants are hereby empowered to command and require the services and assistance of any person for the purpose of extinguishing the same, and for removing household furniture, goods, wares and merchandize out of any building actually on fire, or in danger thereof, and to control and direct operations of all persons concerned in extinguishing the fire or removing property as aforesaid, and to appoint proper guards to take care of all property so removed; and also to command and require the services and assistance of any person for the pulling down or blowing up of any house or other building, and to perform any other service for the purpose of extinguishing the fire and preventing the spreading thereof; and also to suppress any tumult or disorder that might arise during the continuance thereof.

SEC. 9. *Be it further ordained,* That the Fire Warden, or his assistants under his direction, from time to time, and at least once in every six months, shall visit and examine every house and other tenement contemplated by this ordinance, and report to the Mayor all breaches of any provision of this ordinance, that every offender may be subjected to the payment of any penalty herein provided for.

NO. XVI.

An Ordinance Regulating the City Market.

- SEC. 1. Market hours and days fixed.
2. Certain kinds of victuals and provisions to be sold at Market during market hours—penalty for violating this section—exception.
3. Leading, riding, or driving horse, &c., or vehicle into the market house, killing and slaughtering on market lot, depositing filth, &c., prohibited—penalty.
4. Wagons, &c., to be placed outside the sidewalk, and space to be left between—penalty.
5. Provisions for keeping market in proper condition—penalty for incumbering, &c.
6. Sale of sick and diseased animals prohibited—penalty.
7. Sale, and exposure to sale, of unsound articles, &c., prohibited—penalty.
8. Certain kinds of meat prohibited from being sold without particular representation—penalty.
9. None, except owner or occupant of stall, &c., to sell fresh meat by less quantity than the quarter—penalty.
10. Quantity of provisions purchased at Market limited—penalty.
11. Forestaling prohibited—penalty.
12. Sale of liquors about the Market prohibited—other prohibitions—exceptions and limitations—provisions for preservation of health about the market—regulation about fires—penalties for violation of this section.
13. Penalties for selling by false weights—duty of Clerk of the Market in such cases.
14. Clerk of Market to prepare and post up rules and regulations in the market.
15. Clerk of Market to issue permits.
16. Persons prohibited from selling articles purchased at market. How vehicles to be placed. Penalty.
17. Clerk of Market to keep book—to make settlements with Council. To pay over money to City Clerk. Penalty.
18. Opening and closing of Market.
19. Regulations of market.
20. Duty of Clerk of Market. Who may sell in. Regulations of selling.
21. Farmers and producers may sell.
22. Sale of butcher's stalls. Lease to be executed. Neglect to pay rent. Stand becoming vacant.
23. Penalties.

SECTION 1. *Be it ordained by the City Council of the City of Quincy,* That the market of the city shall be open for the sale of all victuals and provisions from the dawn of day until ten o'clock, A. M., and from 4 o'clock, P. M., until dark, from the first day of April until the first day of October; and from the dawn of day until twelve o'clock in the forenoon, and from two o'clock until dark in the afternoon, during the remainder of the year, Sundays excepted.

SEC. 2. *Be it further ordained.* That all victuals and provisions, whatsoever, offered for sale in said city, except all kinds of grain, flour, meal, bread, butter in firkins, or other vessels, exceeding fifteen pounds, nett weight, cheese, bacon, pork, by the hog, beef by the quarter, beef and pork by the barrel, or large casks, live cattle, sheep or hogs, shall be taken to the market-house, there to be sold at market hours; and any person violating this section, whether vendor or purchaser, shall forfeit and pay, for the use of said city, not less than one dollar nor more than five dollars for every such offence; *Provided,* That nothing in this section contained shall prevent any person from selling or purchasing any of the articles specified herein, out of market hours.

SEC. 3. *Be it further ordained,* That no person shall lead or drive into the market-house, or on any sidewalk thereof, any horse or other beast, wagon, cart or carriage of any kind whatever, or kill or slaughter, within the limits of the market lot, any beast of the beef, sheep or hog kind, or lay thereon, or deposit any dirt, filth, garbage, dung or offal therein, under the penalty of five dollars, for the use of said city, for every such offence.

SEC. 4. *Be it further ordained,* That no wagon, cart, dray, or carriage of any description, shall stand nearer the market-house than the outer edge of the sidewalk, and they shall be so arranged as to leave a space of at least three feet between them, and shall, in no case whatsoever, encroach on the passage or avenues, passing to or from the market, under the penalty of two dollars, for the use of said city, for each and every offence.

SEC. 5. *Be it further ordained,* That no person shall bring or deposit upon the market lot, any nuisance, or any lumber, wood, logs, timber, stone, lime, sand, brick or earth, or any hogsheads, pipes, puncheons, barrels, casks, or kegs, not containing provisions intending to be sold at market in the usual way, or any boxes or crates containing merchandize, or other articles of merchandize, not intended to be sold in market in the usual manner, and every person so offending shall forfeit and pay, for the use of said city, the sum of five dollars for each and every offence, and a further sum in each and every case, of ten dollars per day, for each and every day, that all or any of said articles or things shall remain upon said lot.

SEC. 6. *Be it further ordained,* That no butcher or other person, shall sell, or expose to sale in the market, any sick or diseased live animal, usually eaten for food, and for the purpose and with the design, that the same shall be immediately used for food, knowing or believing the same to be sick or diseased; and every person so offending shall forfeit and pay, for the use of said city, a sum not less than five or more than fifty dollars; *Provided*, that each and every sick or diseased animal so sold as aforesaid, shall constitute a distinct and separate offence, under the provisions of this ordinance.

SEC. 7. *Be it further ordained,* That no butcher or other person, shall sell, or expose to sale in the market, any dead flesh or fish, which was sick, overheated, or worn or run down by dogs, at or before the time when the same was butchered or slain, or which hath died a violent or natural death, out of the usual manner of slaying animals, or hath been killed by accident, or casualty, or which is blown, stuffed, or in any way unsound; and no person shall sell or expose to sale, any unsound eggs, butter, lard, or other damaged articles of provision; and every person so offending shall forfeit and pay, for the use of said city, a sum of not less than five, nor more than fifty dollars; *Provided*, that each person to whom such offenders shall have sold any of said unsound articles, shall constitute a separate and distinct offence in the vendor; *Provided, also*, that all articles exhibited in market, as though the same were in-

tended for sale, whether the same be sold or not, shall be, and is hereby declared to be an exposure of the same for sale, within the meaning of this ordinance; and *Provided, further,* that if an such offender shall be a butcher, owning or occupying a stall, bench or block, in the market-house, he shall forfeit his lease of said stall, bench or block, to said city, and shall never after be permitted to occupy any stall, bench or block in the market-house.

SEC. 8. *Be it further ordained,* That no butcher or other person, shall sell or expose to sale in the market, the flesh of any bull, boar, ram, dog, cat, or the flesh of any animal not commonly deemed wholesome or fit food, without representing to all persons wishing to purchase, the nature and true quality, character and name of such animal flesh; and every person so offending shall forfeit and pay for the use of said city, for each and every offence the sum of ten dollars; and if such offender be a butcher, and the owner or occupant of a stall, bench or block in said market, he shall forfeit the same to said city, and shall be subject to all the disabilities and penalties resulting from such disabilities which are imposed on butchers by this ordinance.

SEC. 9. *Be it further ordained,* That no person or persons whatsoever, not being the owner or occupant of a butcher's stall, bench or block in the market house, shall be permitted to cut up and sell, or offer for sale, any kind of fresh meat by less quantity than by the quarter; under the penalty of five dollars, for the use of said city, for each and every offence.

SEC. 10. *Be it further ordained,* That no grocer, huckster, or any other dealer in provisions shall purchase at market more than ten pounds of butter, nor more than six dozen of eggs, nor more than two dozen of chickens, nor more than fifty pounds of bacon hams, either by themselves or agents, before ten o'clock, A. M., every morning, and after four o'clock in the evening; and all persons bringing butter to market shall have the same weighed and sold by weight, and in no other manner under the penalty of not less than one, nor more than five dollars, for the use of said city, for every such offence.

SEC. 11. *Be it further ordained,* That no butcher or other

person whomsoever shall sell, or expose for sale, without the limits of the market, any victuals or provisions of any kind, which have been before purchased from any inhabitant of the country, bringing or who had brought the same to said city for sale, or within one mile thereof for sale, under the penalty of ten dollars, for the use of said city, for every such offence.

SEC. 12. *Be it further ordained,* That no person shall be allowed or permitted to sell, retail, give away, or use any wines or spirituous liquors, or any ale, beer, porter, cider, or any brewed, fermented or mixed liquors or drinks, in or about the market house, or upon the market lot; nor shall any person be permitted to set up, or keep in said market house, or upon the lot, any table, board, or any contrivance for the purpose of eating or drinking at, about, or on the same, without the express leave of the Clerk of the Market, which leave shall not extend beyond the regular market hours; nor shall any such table, board or contrivance be set up, or kept in or upon any other place than such place as shall be designated by said clerk; nor shall any person be permitted or allowed to retail or sell any meats, fish, vegetables, bread or breadstuffs, in said market house, or on the lot, to be there used or eaten, without leave of said Clerk; nor shall any person be permitted or allowed to throw, place, or deposit in, or upon said market lot, or in the market house, any melon rinds or parings nor the rinds or parings of any fruit, potatoes, turnips, or other vegetables; nor shall any person be permitted to place or deposit upon said market lot, or in said market house, any refuse, putrid or offensive animal or vegetable matter; nor shall any person be permitted to use or smoke any pipe or cigar in said market house, or upon said market lot, during market hours; nor shall any person during market hours, kindle, or burn upon said market lot, or in about said market house, any wood, turf, coal, or other matter, be kindled or burned on any other place on said lot, than such place designated by such Clerk.; *Provided*, however that it shall be lawful for any person, without leave, to kindle and burn charcoal upon said market lot, and in the market house, in close earthen or stone vessels; *Provided*, that such vessels shall be moveable, and

shall only be used as aforesaid during market hours, and at such places and in such manner as the Clerk may direct, and so as to produce no inconvenience to persons being and passing in and about the said market house; and any person offending against any of the prohibitions of this section, shall for each and every separate offence, forfeit and pay for the use of said city, the sum of ten dollars.

SEC. 13. *Be it further ordained,* That if any person selling any victuals or provision in said market house, shall sell to any other person any article by weight, by false weights, or sell or expose to sale, as having been correctly weighed, any such article, and as being of a certain weight, when in truth and in fact the same shall fall short thereof, it shall be the duty of the Clerk of the Market to take such article or articles into his possession, and sell the same at their true weight for the use of said city; and every person so offending shall also forfeit and pay for the use of said city, not less than one nor more than ten dollars, for every such offence.

SEC. 14. *Be it further ordained,* That the Clerk of the Market, shall under the direction of the Committee on Markets, form a set of rules for the government of the market, which rules shall exhibit all the prohibitions and penalties contained in this ordinance; also all regulations touching said market; in a short and condensed form, which rules shall be printed on a single sheet of good paper, in plain type, and shall be smoothly pasted upon boards or canvas, of sufficient size, and two, at least, constantly hung up, one at each end of the market house, and others, if necessary, in the centre thereof, to be kept and exhibited to all persons going to said market.

SEC. 15. *Be it further ordained,* That it shall be the duty the Clerk of the Market to execute permits to all persons, authorizing them to sell eggs, lard, butter, cheese, fish, poultry, wild game, fruits and vegetables at the market house, or on the streets and sidewalks adjoining the same, according to the rules governing said market, upon the applicant paying to him for a stall in the market house or for a stand outside the market house for the season, such sum as the Committee on Markets may direct.

SEC. 16. *Be it further ordained,* That no person or persons shall sell, barter or exchange any eggs, lard, butter cheese, poultry, wild game, fruit or vegetables, which may have been purchased by him or them at market, before the hour of eight o'clock, A. M. on any day. All persons attending said market with any cart or vehicle, shall place the same so that the back end thereof shall be towards and at the side walk of said market, and no such cart or vehicle shall stand lengthwise of such sidewalk. Every person violating this section shall forfeit and pay to the city of Quincy not more than ten nor less than three dollars.

SEC. 17. *Be it further ordained,* That it shall be the duty of the clerk, of the market to keep a market book, in which he shall keep a correct account of all permits issued by him showing the names of the persons to whom issued, the time the same respectively run, the amount received for each, the time the same issued and for what purpose, and also, of all moneys received by him as Clerk of the Market, of whom, in what amounts and when received; and shall exhibit the same to the city council and make full report to, and settlement with, the city council at each stated meeting thereof. He shall pay over all moneys due the city monthly to the city clerk, and take his receipt therefor, and the same exhibit to the city council on settlement with them. For any violation of this section or of any section of this ordinance, the clerk of the market shall forfeit and pay to the city of Quincy, not less than three nor more than ten dollars.

SEC. 18. *Be it further ordained,* That the clerk of the market shall be provided with a bell, and it shall be his duty to announce, by the ringing of the bell, the closing of the market hours, at least ten minutes before the time of closing.

SEC. 19. *Be it further ordained,* That every owner or lessee of a stall or stand in the market; and every person occupying a place or stand in the market, shall within thirty minutes, after the ringing of the bell, cause his provisions, wagon, cart, or other thing, to be removed from the market, to some convenient place, under the direction of the Clerk of the Market; and if the lessee of a stall or stand, he shall cause the same to

be thoroughly cleansed, and all offal, garbage and rubbish to be removed therefrom, and each butcher shall cause his tables, meat blocks, and other fixtures, to be thoroughly scraped and cleaned daily.

Sec. 20. *Be it further ordained,* That no provisions or other things shall be sold in the market, except during market hours.

It shall be the duty of the clerk of the market to cause the market house and market place to be thoroughly cleansed and swept each day, and in the winter season to have the ice and snow swept from the sidewalks and steps as often as may be necessary.

No person not being the lessee of a butcher's stall, shall sell or offer for sale in the market, any sausage or sausuge meat; and no other person other than farmers, not being the lessee of a butcher's shall sell or offer to sell in market, any bacon hams, sides or shoulders.

No person not being the lessee of a butcher's stall, shall sell or offer for sale in the market, or any place within the limits of the city, any fresh meat in quantities less than one quarter.

No butcher or owner or lessee of any stall or stand in the market, shall sell or offer for sale, any fresh meat, at any other place within the limits of the city, except at the market house, and there only during market hours.

Sec. 21. *Be it further ordained,* That nothing in the preceding sections shall be construed to prevent any farmer or producer from selling his meat by the quarter, or any person who follows the business of packing beef or pork, from selling bacon of their own curing, or spare ribs, and sausage meat in the winter months.

No person not being the lessee of a butcher's stall, shall cut and sell salted meat by the small quantity in the market.

Sec. 22. *Be it further ordained,* That it shall be the duty of the committee on markets on the first Monday of April in each and every year, to establish and grade the prices upon butchers' stalls in the market, and on the second Saturday of April said committee shall proceed to lease at public auction to the

highest bidder, all the butchers' stalls in the market, after having given public notice of the time and place of said leasing.

Every person bidding of a stall, shall within three days thereafter execute a lease for said stall bid off by him, provided with two or more securities, to be approved by the committee on markets who shall be jointly bound with the lessee for the payment of the rents of the stall, monthly in advance.

If the lessee of any stand or stall, on demand being made, shall fail or neglect to pay the rent thereof at the time the same shall become due by the terms of the lease, such lease shall be thereby forfeited.

Whenever any stall or stand shall become vacant, or the lease thereof forfeited, the Clerk of the Market may proceed to let the same for the unexpired term.

SEC. 23. *Be it further ordained,* That every person offending against any of the provisions of this ordinance, shall forfeit and pay for the use of said city, a sum not less than one nor more than twenty-five dollars for each and every offence, where not otherwise herein specially provided.

NO. XVII.

An Ordinance relating to the Establishment and Maintenance of Ferries.

- SEC. 1. No Ferry to be established and maintained without a license from the City Council—penalty.
2. Application for license, how made—duty of City Clerk, when license is granted—license may be revoked—payment for license to be made to the City Clerk, who shall report the same and pay to Treasurer.
3. Persons licensed, to keep good Steamboats—ferries regulated, Penalty for breach of this section.
Rates of ferriage.
5. List of rates to be posted up on the Boat—penalty for receiving higher rate.
6. Persons aggrieved, to make complaint to Mayor.

SECTION 1. *Be it ordained by the City Council of the city of Quincy,* That no person shall hereafter establish and maintain

a ferry across the Mississippi river to and from any point within the limits of said city, or keep and use any boat or other craft for the purpose of conveying any person or property as aforesaid for hire, without having first obtained a license from the city council therefor; and every person who shall establish and maintain a ferry, or keep and use any boat or other craft as aforesaid, shall forfeit and pay, for the use of said city, for every such offence, a sum not less than five dollars, nor more than one hundred dollars.

SEC. 2. *Be it further ordained*, That any person wishing to establish and maintain a ferry as aforesaid, shall make a written application to the city council for license so to do; and the city council, if deemed expedient, shall grant a license to the applicant on such terms as they may think proper, and the city clerk, on the payment of the terms so prescribed, shall make out and deliver to said applicant a license as aforesaid,, to be in force for the term of one year from the date thereof, subject however, to be revoked by the city council, whenever the applicant or any person managing said ferry shall violate any of the provisions, or neglect to perform any of the requirements of this ordinance, which condition shall be inserted in said license. Every person on such license being granted, shall pay to the city clerk the sum required by the city council to be paid therefor, and one dollar as fees to the clerk; and the city clerk shall pay over to the treasurer all such sums, exclusive of his fees, and make report to the city council at the next meeting after the receipt of the same.

SEC. 3. *Be it further ordained*, That every person obtaining a license as aforesaid, shall forthwith provide and keep in good repair, good and sufficient steamboats for the ready and safe conveyance of persons and property across the Mississippi river as aforesaid, and give due and regular attendance at such ferry from sunrise until sunset, with a sufficient number of hands to work and manage such boats, and shall, without unnecessary delay, carry as aforesaid, on application, at any hour between sunrise and sunset, all persons and property as aforesaid, when said river is passable; and every person licensed as above, who shall fail to comply with either of the requi-

sitions of this section, shall forfeit and pay for the use of said city for every such offence, a sum not less than five dollars nor more than fifty dollars.

SEC. 4. *Be it further ordained,* That every licensed ferry keeper may demand and receive such fees as the city council may establish and permit from time to time, and that all wagons or teams containing or conveying produce from Missouri; also, cattle and stock for the Quincy market, shall be charged for crossing and return only one-half the rates or amounts demanded in other cases for the same kinds of wagons, teams, stock and transportation.

SEC. 5. *Be it further ordained,* That it shall be the duty of every licensed keeper of a ferry to cause a list of the foregoing rates to be posted and constantly kept up in some conspicuous place on his boat; and any keeper, or any person in his employment, who shall demand and receive any higher or greater rate for conveying as aforesaid, shall forfeit and pay for the use of said city for such offence, a sum not less than five dollars nor more than ten dollars.

SEC. 6. *Be it further ordained,* That any person aggrieved by any breach of this ordinance, or any provision herein contained, may make complaint thereof to the Mayor, who shall cause suit to be instituted forthwith for the recovery of any penalty thereunto annexed.

NO. XVIII.

An Ordinance Regulating the Measurement of Wood.

- SEC. 1.** Fire Wood to be measured and certificate given on request—contents of each cord.
- 2.** Penalty for using false certificate.
- 3.** Rates of fees for measuring, and how paid.

SECTION 1. *Be it ordained by the City Council of the city of Quincy,* That all firewood purchased, to be used within said city, by the cord, half cord, or quarter cord, shall be measured by the wood measurer, and certificate thereof given, if requir-

ed by the vendor or purchaser, provided the same be first piled or corded up in bulk in such order as will admit of a measurement with reasonable accuracy; and every cord so measured shall contain one hundred and twenty-eight feet cubic measure, when closely and compactly piled together.

SEC. 2. *Be it further, ordained,* That any person who shall for the purpose of cheating, wronging, or defrauding another, exhibit or use a certificate of the wood measurer, by making or attempting to make the same applicable to any greater or less quantity of wood, or any other than the full load, lot or parcel for which the same was originally given, shall forfeit and pay for the use of said city, the sum of five dollars for every such offence.

SEC. 3. *Be it further ordained,* That there shall be allowed for services under this ordinance, the following rate of fees: One moiety of which is to be paid by the vendor, and the other moiety by the purchaser, to-wit: For measuring one cord or less, twelve-and-a-half cents; for each additional cord, when the quantity does not exceed four cords, eight cents; when it exceeds four cords and not exceeding twelve cords, six cents for each additional cord; when more than twelve cords, and not exceeding twenty cords, five cents for each additional cord; when it exceeds twenty-five cords, four cents for each additional cord after the first cord. In addition to these rates, for each load, lot or parcel of wood measured at a greater distance than one square or block from the public square, and from the wood measurer's office or residence, and not exceeding one-fourth of a mile from said public square, office or residence, twelve-and-a-half cents; a further sum, also, of twelve-and-a-half cents in all cases, where the wood measurer is required to go more than one-fourth of a mile from said public square, office or residence.

NO. XIX.

An Ordinance Relating to the Inspection and Measurement of Lumber and other Building Materials, and the Measurement of Mechanical Work.

- SEC. 1. All Lumber and other Building Materials to be measured on request, and certificates given.
2. Mechanical work to be measured on request, and certificate given.
3. Penalty for using false certificate.
4. Rate of fees for service under this ordinance.

SECTION 1. *Be it ordained by the City Council of the city of Quincy,* That all lumber and other building materials sold or purchased to be used in said city, shall be properly inspected and measured by the person selected by the city Council for that purpose, if either party should require it, and certificate thereof given, which inspection and measurement shall be according to the judgment of the person so selected.

SEC. 2. *Be it further ordained,* That all mechanical work, done and performed within said city, shall be measured by the person selected as aforesaid, if either party concerned should require it, and certificate thereof given, which measurement shall be in accordance with the most approved mode of measuring.

SEC. 3. *Be it further ordained,* That any person who shall, for the purpose of cheating, wronging or defrauding another, exhibit or use a certificate of the measurer of the foregoing materials and mechanical work of said city, by making the same applicable to any greater or less quantity of lumber or other building materials or mechanical work, or any other than the materials or work for which the same were originally given, shall forfeit and pay, for the use of said city, the sum of five dollars for every such offence.

SEC. 4. *Be it further ordained,* That there shall be allowed for services under the provisions of this ordinance, the following fees, one half of which is to be paid by each of the contracting parties, to wit: for the inspection and measurement of lumber ten cents per thousand feet; for the inspection and

measurement of building materials, fifty cents for one hour or less, including the time occupied in going to the place where the same are deposited, and twenty-five cents for each succeeding hour.

NO. XX.

An Ordinance Relating to the size of Bricks.

SECTION 1. *Be it ordained by the City Council of the city of Quincy,* That all merchantable bricks hereafter made to be sold within the city, in the ordinary course of manufacture and sale, and to be used therein, shall be eight and a half inches long, four and a fourth inches wide, and two and a fourth inches thick when moulded; and every person who shall manufacture or shall sell as aforesaid, any bricks of less dimensions than aforesaid, shall forfeit and pay to the city, for each offence, not less than one, nor more than one hundred dollars.

NO. XXI.

An Ordinance Regulating the Storage of Gunpowder.

- SEC. 1. Limitation of quantity of Gunpowder to be kept in stores, &c.
- 2. Such quantity how kept.
- 3. Penalty for violations of first and second sections.
- 4. Mayor in certain cases may issue a search warrant.

SECTION 1. *Be it ordained by the City Council of the city of Quincy,* That no store or shop-keeper, or other person, shall keep at the same time in any house, shop, store, cellar or warehouse, or in any boat, within the limits of said city, more than thirty pounds of gunpowder.

SEC. 2. *Be it further ordained,* That the aforesaid quantity of powder, allowed to be kept within the limits of said city, shall be kept in close tin four-pound canisters, and in a good and safe place.

SEC. 3. *Be it further ordained,* That every person offending against either of the foregoing provisions, shall forfeit and pay the sum of twenty-five dollars, for the use of said city.

SEC. 4. *Be it further ordained,* That it shall be lawful for the Mayor, whenever he shall be informed, upon oath that there is probable cause to suspect any person of concealing or keeping within said city, any quantity of gunpowder over and above thirty pounds as aforesaid, to issue a search warrant to examine into the truth of such allegation or suspicion, and search any place whatever therein.

NO. XXII.

An Ordinance Relating to the Poor.

SEC. 1. Who entitled to aid.

2. Certain relatives required to support poor relations—order of liability—penalty for neglect to support, when able.
3. Provisions for minors, chargeable to the city.
4. Proceedings in cases of non-resident Poor.
5. “ to be had by Overseer, on application from persons not entitled to aid by reason of non-residence.
6. Overseer to take charge of Poor on notice, &c.
7. Poor persons, when to be discharged—their ability to refund expenses defrayed by the city.

SECTION 1. *Be it ordained by the City Council of the City of Quincy,* That every poor person, who shall have resided within the limits of said city twelve months, and who shall be unable to earn a livelihood in consequence of any bodily infirmity, idiocy, lunacy, or other unavoidable cause, shall be entitled to receive from said city such food, clothing, fuel, medical and other aid in sickness, as the overseer of the poor may deem necessary, in case of the neglect or refusal of the father, grand-father, mother, grand-mother, children, grand-children, brothers or sisters of such poor persons, to make the necessary provision for them.

SEC. 2. *Be it further ordained,* That all relatives of such poor persons, if they or either of them shall be of sufficient ability to

support them, are hereby required to make the necessary provision for them, and shall be notified by the overseer of the poor in the order following, to wit: The children shall first be notified to support their parents, if there be children of sufficient ability; if there be none of sufficient ability, then the parents; if there be no such parents, then the brothers and sisters; if there be no such brothers or sisters, then the grandchildren; if there be no such grand-children, then the grand-parents shall be notified: *Provided*, that married females, whilst their husbands live, shall not be liable to a suit under this ordinance: and any relative of such poor person, who shall neglect or refuse to render such aid after being notified as aforesaid, and being of sufficient ability to do so, shall be liable to said city for all necessary expenses incurred by said city for the support of such poor persons: *Provided*, that when any persons become paupers from intemperance, or other bad conduct, they shall not be entitled to any support from any relative except parent or child.

SEC. 3. *Be it further ordained*, That when any minor shall become, or likely to become chargeable to said city, either because of being an orphan, or because the parents or other relatives are unable or refuse to support such minor, it shall be the duty of the overseer of the poor, under the direction of the city council on his representation, to bind such minor as an apprentice to some respectable householder of the city or county by written indenture, which shall bind such minor to serve as an apprentice, and shall in all respects be in tenor and effect as required by the laws of this State concerning apprentices.

SEC. 4. *Be it further ordained*, That when any non-resident or person not coming within the definition of a pauper, who shall fall sick or die in said city, not having money or property to pay his board, nursing and medical aid, it shall be the duty of the overseer of the poor, upon application of any inhabitant of said city, to give or order to be given such assistance to such poor person as he may deem just and necessary; and if said sick person shall die, then said overseer of the poor shall give, or order to be given to such person a decent burial;

and all bills of expense occurring under this section, shall be by him presented to the city council for approval.

SEC. 5. *Be it further ordained,* That whenever any application is made to the overseer for relief, and it shall appear to him that the person requiring relief has not resided in said city for twelve months prior to such application, he shall, under the direction of the city council, proceed to remove from said city such poor person, at the expense of said city, to the county or State where such poor person may have had his or her last place of residence; or said overseer of the poor may notify such poor persons to leave said city forthwith, and no person so notified shall be entitled to relief from said city.

SEC. 6: *Be it further ordained,* That the overseer of the poor, on application for relief of any poor person, shall immediately cause such person, if entitled to relief under the provisions of this ordinance, to be removed to such place as may be provided by the city council for the use of such poor persons, unless he may deem such removal inexpedient, in which case such poor person shall be supported by the city in such place as the said overseer may direct.

SEC. 7. *Be it further ordained,* That all persons receiving aid from said city shall receive no further aid after such person, in the opinion of the attending physician, or the overseer of the poor, become able to support themselves, and should such persons thereafter become able to pay any expense incurred by said city in extending relief to them, they shall be liable to refund the amount of such expense to said city

NO. XXIII.

An Ordinance providing for the Subscription to the Capital Stock of the Northern Cross Rail Road Company and for other purposes.

- SEC. 1. Mayor authorized to subscribe.
2. To issue bonds. How issued. Bonds payable to Company.—
Rate of interest, and when payable.
3. Shall be delivered to Company in payment of stock.
4. Tax to be levied. Interest paid.
5. Tax to be kept separate.
6. Tax pledged to payment of interest. Sale of stock and dividends to go to liquidation of bonds.
7. Bonds may be exchanged for stock.
8. Mayor to cast vote of city at Company election.

WHEREAS, by the provisions of an act entitled an act supplemental to an act entitled "An Act to provide for a General System of Railroad Incorporations," approved November 6th, A. D. 1849, notice was given on the 27th day of January, A. D. 1851, at the usual places of voting in the city of Quincy, to ascertain the wishes of a majority of the people in reference to the subscription by the common council of said city to the capital stock of that portion of the Northern Cross Railroad, lying between the Illinois and Mississippi rivers., to the amount of one hundred thousand dollars, to be paid in bonds of said city; having twenty years to run, and bearing an annual tax of six per cent. payable semi-annually.

AND WHEREAS, said election was held agreeably to said notice, and the act aforesaid, and the returns thereof in due form made to the city council, who canvased the same at their regular meeting held on the 3d day of March, A. D. 1851, when it appeared that there had been cast, "For Subscription," one thousand and seventy-four votes, "Against Subscription," nineteen votes. The number of votes given for subscription being nearly equal to the entire vote polled at the last general election in said city, and a much larger vote than that required by the act aforesaid to authorize said subscription of one hundred thousand dollars.

Now, Therefore, *Be it ordained by the City Council, of the City of Quincy*, as follows :

SECTION 1. That the Mayor is hereby empowered, authorized and directed to subscribe, in the sum of one hundred thousand dollars, to the capital stock of the Northern Cross Railroad Company, having the management of that portion of the said Northern Cross Railroad extending from the Mississippi to the Illinois river, on behalf and in the name of said city; by which said act of its chief executive officer, the faith of said city shall be irrevocably pledged to said company in the sum of one hundred thousand dollars.

SEC. 2. That whenever a regular assessment shall be levied, and made payable upon the stockholders of the said Northern Cross Railroad Company, the Mayor and city clerk for the time being, shall execute the bonds of said city, for the sum of one thousand dollars each, for the amount so assessed upon the stock so subscribed by said city, signed by the Mayor and countersigned by the city clerk, with the corporate seal of said city affixed—all of which said bonds shall be dated on the first day of July, or on the first of January, in the year in which they shall be issued, and shall be made due and payable twenty years from the date thereof.

The said bonds shall be made payable to the "President, Directors and Company of the Northern Cross Railroad Company," principal and interest at the Phœnix Bank in the city of New York—and shall bear interest at the rate of six per cent. per annum, payable semi-annually, and for which coupons bearing same date as the bonds aforesaid, signed by the Mayor, shall be attached; said bonds shall in other respects be in the usual form, and shall be entitled "Northern Cross Railroad Bonds," upon the backs of which this ordinance authorizing their issue shall be printed.

SEC. 3. That the said bonds, when executed as provided in the preceding section, shall be delivered to the directors of the Northern Cross Railroad Company, in payment of the subscription by said city to the capital stock of said company, as the city council may from time direct.

SEC. 4. *Be it further ordained*, That an annual tax shall be

levied by said council on the assessed value of all the real estate within the limits of said city, and all the personal property of the inhabitants thereof, sufficient to pay the interest for one year on all said bonds so issued and delivered to the directors of said company, after deducting such dividends on said stock as may from time to time be made to said city by said company, said dividends, so far as the same may extend, to be applied to the payment of said interest. And when said council shall have made such levy, it shall be the duty of the city council to extend the same on the collector's books for the year in which said levy shall be made, and in a separate column, to be denominated "railroad tax," which tax shall be collected in the same manner as the other taxes of said city; and the payment thereof to be enforced by the same regulations and provisions of statute and ordinance as obtain in reference to all other taxes of said city.

SEC. 5. That it shall be the duty of the Treasurer of said city to keep all moneys arising from the collection of said railroad tax, separate and apart from the ordinary funds of said city, to be paid out by him on the order of the Mayor, countersigned by the city clerk, to the satisfaction and payment of the interest semi-annually accruing and due on said bonds, and for no other purpose or purposes whatsoever.

SEC. 6. That the railroad stock of which said city shall become seized and possessed by the subscription herein before provided for, and all dividends arising therefrom, are hereby pledged and set apart to the payment of the principal and interest of the bonds of said city, issued for and in payment of said subscription; and whenever any of said railroad stock shall be sold by said city, the proceeds of every such sale shall be applied forthwith to the redemption of said bonds, so far as the same may extend thereunto, and for no other purpose whatsoever.

SEC. 7. That any owner or holder of any or all said city bonds may at any time deposit the same with said city, and receive in exchange therefor an equal amount of railroad stock; *Provided*, the application for such exchange shall be made be-

fore said city shall have sold or otherwise disposed of said railroad stock, so applied for.

SEC. 8. *Be it further ordained,* That at all elections of directors for said Northern Cross Railroad Company, or other elections in which the stock holders of said company, by the rules and regulations thereof, are authorized or entitled to vote, such vote or votes as said city of Quincy may be entitled to cast, by virtue of her said subscription of one hundred thousand dollars, shall be thrown on behalf of said city by the Mayor for the time being, or such other person or persons as the city council of said city may designate for such purpose, or by such proxy or proxies as may by him or them so designated by said council, be appointed in accordance with the by-laws of said company; said stock of said city to be represented by her delegated authority in the same manner and to the same extent, subject also to the same restrictions as stock owned and represented by individuals in said company.

NO. XXIV.

An Ordinance Concerning the Police Magistrate's Court and Regulating the Proceedings therein.

- SEC. 1. Prosecutions how commenced.
2. Prosecution may include several, and shall not be dismissed for want of form.
3. Summons, form of same. Service and return.
4. Special service of summons.
5. May be served by copy, or by posting in certain cases.
6. Capias may issue; form of capias. Defendant may give bail; form of bail bond. Breach of bond.
7. Proceedings against bail.
8. Officers to be governed by State Laws..
9. Officers competent witnesses.
10. Garnishee process.
11. Parents, guardians, masters, &c., of minors liable for fines, to be notified.
12. Persons arrested without warrant, officer to report facts.
13. Officer omitting to attend as witness, may be attached.

14. Persons under arrest entitled to trial. Case may be continued.
15. Bail given on continuance. Breach of bail bond.
16. Defendant refusing to give bail on continuance, to be committed. Police Mag. to issue commitment. Time of continuance.
17. Marshal to bring persons under arrest before Court.
18. All motions to dismiss and for continuance to be made in writing.
19. Defendant failing to appear, judgment by default may be entered.
20. Police Magistrate may issue attachment and punish contempt.
21. Depositions may be taken.
22. Jury may be demanded.
23. Executions to be issued; form of same.
24. Defendant committed for want of property, and time of imprisonment.
25. Who may make affidavit of complaint.
26. Sessions of Court.
27. Absence of Police Magistrate to continue cases. Hold to bail or commit.
28. Appeals may be taken.
29. Costs and fees of Police Magistrate's Court. Costs to be collected off defendant convicted. Costs to be paid by city, but not to exceed penalties collected. How penalties ascertained and applied to costs.
30. Police Magistrate's costs when acting as Justice of the Peace. His costs under the Ordinances.
31. Marshal, Police Constable's costs to pay over to Police Magistrate.
32. Witnesses costs. To be paid by city. Defendant to pay, and if required, city to pay.
33. Jurors Costs. Party demanding Jury to advance fee. In case of acquittal, returned to defendant and city to pay.
34. Capias. *Ad respondendum*, form of.
35. Special bail not to be taken.
36. Judgment. Execution. Commitment.
37. Labor on Streets. Custody of.
38. Explanatory of.
39. Police Magistrate, Constable and Marshal to be governed by State laws, where no provision by Ordinance.
40. Prosecutor to pay costs, if prosecution malicious.

SECTION 1. *Be it ordained by the City Council of the city of Quincy,* That penalties for violations of any ordinance shall be recoverable by suit, in the nature of an action of debt, before the Police Magistrate's Court; and suits shall be commenced, (except

in cases otherwise provided for by ordinance or the city charter,) by the filing with the Police Magistrate a statement, signed by the city Attorney, the Mayor, the Marshal, the Clerk, any police officer, or any responsible citizen of Quincy; which statement shall be in form, substantially as follows:

A. B. to the city of Quincy, Dr. To dollars for
breach of ordinance, (here insert the title thereof,) passed the
day , A. D. 185 , in this to-wit (here
describe the particular breach in the language of the ordi-
nance,) between the day of , A. D. 185 , and
the day of A. D. 185 .
(Signed,) C. D.

SEC. 2. No suit shall be dismissed for any defects of form in the statement, if it substantially sets forth the nature of the violation alleged. The statement may include several persons charged with the same violation.

SEC. 3. Upon the statement being filed with the Police Magistrate, or when made out by him upon the information of any officer or citizen, he shall fill up, seal and attest, and sign a summons in the following form, as nearly as circumstances will admit.

State of Illinois, } ss.
City of Quincy, and County of Adams, } The people of the
State of Illinois to the Marshal or Police Constable of the city
of Quincy, or any Constable of Adams county, GREETING:

Which summonses may be returnable on any day, (Sundays'

excepted,) within fifteen days, and not within five days from its date; and the same must be served at least three days before the day set for trial.

SEC. 4. That every summons for breach of any ordinance, issued by the Police Magistrate, shall be served by reading the same in the hearing of the defendant or defendants, if he or they will remain to hear it read; but if he or they refuse to hear such summons read, or absent him or themselves after said summons has been produced to be read, and the contents or objects thereof mentioned to him or them, such offer on the part of the officer in such cases, shall be deemed and taken to be a sufficient service of such summons, which facts shall be specially stated by the officer in his return on said summons.

SEC. 5. That when any defendant shall absent or conceal himself, or shall be absent, or a non-resident in said city, the summons aforesaid against such person, may be served by leaving a copy thereof at his residence or usual place of abode, with any white person of the family in which he resides, over the age of fifteen years, at least three days before the day set for trial in such summons; but if such person have no house, family, or known place of abode in said city, whereat service of a copy can be made as aforesaid, it shall be lawful for the officer charged with the summons, to stick up a copy of such summons on the front of the Court House in said city, which shall be deemed and taken to be a sufficient service of any summons within the meaning of this ordinance.

SEC. 6. *Be it further ordained,* That if any credible person, as agent of said city, shall make oath that there is danger that the debt or claim of said city will be lost, unless the said defendant be held to bail, and shall also state, under oath, the cause of such danger, so as to satisfy the Police Magistrate that there is reason to apprehend such loss, and shall file the written charge or statement required by the fourth section of this ordinance, it shall be the duty of the Police Magistrate to issue a writ to apprehend such offender, which shall be, as nearly as circumstances will admit, in the following form, to-wit:

State of Illinois, Adams county, } ss.
City of Quincy. } The people of the State
of Illinois, to the Marshal of the city of Quincy, or any Constable of Adams county, greeting:

You are hereby commanded to take the body of A. B., and bring him forthwith before me, the undersigned Police Magistrate of said city, unless special bail be entered; and if such bail be entered, you will then command him to appear before me, at my office, on day of A. D. 185 , at o'clock, , to answer the complaint of the city of Quincy, in a plea of debt, for a failure to pay to said city a fine, forfeiture or penalty of dollars, for a breach of an ordinance of said city, entitled [here insert the title thereof,] passed the day of A. D. 185 , in this, to-wit: [here describe the particular breach in the language of the ordinance, and as set forth in the written charge or statement,] and make due return as the law directs. Given under my hand and seal, at my office in Quincy, this day of A. D. 185 . C. D., [seal.]

Police Magistrate.

And in all cases the defendant shall have the right to release his body arrested by virtue of such process, by giving special bail to the officer executing the same, which shall be endorsed on the back of the capias, in the following form, as nearly as the case will admit, to-wit: I, E. F., acknowledge myself special bail for the within named A. B. Witness my hand this day of A. D. 185 , E. F., which endorsement shall be signed by one or more sureties, to be approved by the officer executing the writ, and the liabilities which shall attach to such security or bail in such case, shall be as follows, to wit: If the defendant shall not personally appear before the said Police Magistrate's Court as required, on the day set for trial, and if he shall fail to pay whatever judgment may be obtained against him, or shall not surrender his body in execution, when charged, within thirty days from the judgment, then, and in such case, the bail shall pay the judgment and costs.

SEC. 7. In all cases where a party is arrested without a writ, and who gives a recognizance as is provided in section twelve, of "An ordinance establishing and regulating the police department," and in all such cases as are provided for in the preceding section, where the recognizance or bail is forfeited, it shall be the duty of the Police Magistrate to note on the papers the forfeiture, and to issue a summons against the party or parties liable in behalf of the city of Quincy, and upon trial, to give judgment against the defendant or defendants so liable, according to the provisions of this ordinance; but allowing the same defence that is allowed for the non-appearance of the principal that is allowed under the general laws of the State, in like proceedings before justices of the peace. The summons to be issued in such case, in form to be as nearly as possible like the summons in the preceding section six herein; but said summons shall be considered good if it substantially set forth the nature of the cause of action.

SEC. 8. That the officer who shall execute any writ or other process issued by the Police Magistrate, shall, unless otherwise directed by this or some other ordinance of said city, proceed in the execution of his duty in the same manner as constables are required to proceed under the laws of this State, and the Police Magistrate in issuing process and on the return thereof, shall, unless otherwise directed by this or some other ordinance of said city, be governed by the laws of this State, appertaining to like proceedings before other justices of the peace.

SEC. 9. That in all prosecutions in behalf of the said city, any officer thereof is hereby made a competent witness, notwithstanding such officer may be entitled to a portion of the fine, forfeiture or penalty sued for, or to a fee from the same.

SEC. 10. That whenever any execution in which said city is plaintiff, shall be returned by the officer charged with the service of the same, "No property found," the Police Magistrate may, upon oath being made, as in similar cases before the justices of the peace, by any officer of said city, or by any citizen, issue a garnishee process under the provisions of the laws of

this State, and every such officer, for such purpose, shall be deemed and taken to be the agent of said city.

SEC. 11. That parents, guardians, masters and mistresses, shall be bound for the payment of any fine, forfeiture or penalty assessed against any minor under their respective care or charge under the provisions of any ordinance of said city, and execution shall issue thereon as in other cases. *Provided*, it shall be the duty of the Marshal or Constable to notify any such parent, guardian, master or mistress of such minor, if they are known, of the time and place of trial for any violation of ordinance, and in case such parent, guardian or master is not known, or resident of the city, the Marshal or other officer, shall, in his return or statement, make known such fact.

SEC. 12. No summons or warrant shall issue against a person who shall have been lawfully arrested and brought before the Police Magistrate without a warrant; or in case where the party has been arrested without warrant, and shall have given bail; but in such case, a trial shall be had upon a written report to be made by the officer making the arrest. The Police Magistrate shall in all such cases, where the party is present, note the fact of his appearance, and proceed to hear and determine the case in the same manner as if a summons or warrant had been issued; and in all cases where the officer making the arrest fails to file the report, if the defendant consent, the cause may proceed without it; but if he or she demands said report, the Police Magistrate shall allow a reasonable time for its being made out or filed.

SEC. 13. Officers shall attend as witnesses against persons who they have arrested, without being summoned, nor shall the Police Magistrate issue any subpoena for them; but if they fail to appear at the time for trial, they may be attached and punished for contempt as witnesses summoned.

SEC. 14. Any person arrested and held in custody, shall be entitled to a trial within twenty-four hours from the time of the arrest, [except when Sunday shall intervene,] unless the trial be postponed by the Police Magistrate for good cause, or from unavoidable circumstances.

SEC. 15. A person in custody without a warrant for a violation of ordinance, where the cause is continued at his or her instance, or where it is continued from some unavoidable circumstance, may release him or her from custody by giving bail, by executing a bond to the city with sufficient security, to be approved by the Police Magistrate in double the amount of the penalty provided by the ordinance for the violation alledged. *Provided*, however, said bond shall in no case be taken for more than one hundred dollars; which bond shall be conditioned, that he or she appear upon a day therein named, before the Police Magistrate's Court, to answer for the violation of which he is accused, and there to wait his or her trial of the charges against him. Which bond, if forfeited, shall be sued upon in the same manner as is provided in section seven of this ordinance.

SEC. 16. A person in custody, who cannot be tried because of the absence of witnesses, or other cause, and who cannot give bail for his or her appearance, shall remain in the keeping of the calaboose keeper until a trial can be had. In such case, the Police Magistrate shall deliver to the Marshal or Police Constable a commitment, stating therein the cause of detention. But no continuance under this section shall exceed three days, unless at the instance of the defendant.

SEC. 17. At the opening of the Police Magistrate's Court, the City Marshal or Police Constable shall bring before the court for trial, all persons in custody for any violation of ordinances.

SEC. 18. Motions for dismissal on account of informality, or illegality in the papers or proceedings, and all pleas, all applications for continuances, must be made in writing and filed and argued when the suit is called up for trial, and at no other time.

SEC. 19. When a defendant, duly summoned, fails to appear at the time the suit is set for trial, the Police Magistrate shall hear and examine the testimony offered on the part of the city, and shall render judgment by default against the defendant for such amount, under the ordinance, as he may deem justice to require.

SEC. 20. The Police Magistrate may issue attachments to compel the attendance of witnesses and jurors who shall have been summoned, and he may also punish for contempt, in like manner, as justices of the peace are authorized to do by the laws of the State.

SEC. 21. Depositions taken in conformity to the laws of the State, may be read before the Police Magistrate, on any trial, where the witness, by reason of sickness, old age or bodily infirmity, is unable to attend to and cannot safely attend at the trial; or where both parties agree in any case to the reading thereof.

SEC. 22. In all cases before the Police Magistrate for any violation of ordinances of the city, the defendant may demand a jury trial. The jury shall consist of such number, and possess the same qualifications as is required by the general laws of the State in justices courts; and all jury trials shall be conducted as nearly as possible, in the same manner as jury trials before justices of the peace.

SEC. 23. Upon the rendition of a judgment against a defendant for any violation of any ordinance before the Police Magistrate, he shall immediately issue an execution in the following form, as near as may be :

State of Illinois,
City of Quincy and county of Adams, } ss.
State of Illinois, to the Marshal or Police Constable, or any
other constable of the city of Quincy, greeting :

Whereas the city of Quincy has this day obtained judgment before the undersigned, Police Magistrate of the city of Quincy, against C. D., for a violation of ordinance of said city, for the sum of dollars with her costs in this behalf, these are therefore to command you to levy said debt and costs of the goods and chattels of the said C. D., within the city of Quincy, and expose the same to sale agreeably to law; and for want of sufficient property wherewith to levy the said debt and costs, you are commanded to take the body of the said C. D. into your custody, and convey him to the calaboose of the city of Quincy, and him there safely keep until he pay said debt and costs, to serve the same out in said jail, in the time and man-

ier specified in the 98th section of chapter LIX, concerning justices of the peace and constables, revised statutes of Illinois, 1845, page 329. And you are also hereby commanded to make return of this execution within seventy days from the date thereof, with your return thereon, stating how you have executed the same. Given under my hand and seal, at my office in Quincy, this day of A. D. 185 .

Police Magistrate. [L. s.]

SEC. 24. If sufficient property of the defendant be not found to satisfy the execution, the marshal or constable shall commit the defendant without delay to the calaboose, and there retain him for forty-eight hours, unless before that time the debt is paid. And if the debt exceed ten dollars, the said defendant shall remain in said jail or calaboose twenty-four hours for every five dollars over and above the said ten dollars, and so on in proportion to the amount of said debt or fine.

SEC. 25. When an affidavit on the part of the city, shall be required in any case in the Police Magistrate's court, it may be made by any city officer, or by any person to whom the facts are known.

SEC. 26. There shall be a regular session of each Police Magistrate's Court every day, [Sundays excepted,] to be opened at 8 o'clock, A. M.

SEC. 27. In all cases of arrest of any person or persons under any warrant or process issued by a Police Magistrate, in case of the absence of the Magistrate who issued the same, or inability to try the cause, from whatever cause, such writ or process, and all process issued in such cause, shall be taken and deemed returnable, and shall be returned with the parties in custody to the other Police Magistrate of the city, who shall proceed with the cause the same as if such warrant or process had been issued by him. And in case of ordinary process by summons, without arrest, as well as in case of the absence or inability of both of the Police Magistrates as aforesaid, the cause shall stand continued from day to day until in case of process by ordinary summons, the Magistrate who issued the same can proceed to the trial of the cause. And in case of arrest, until such Magistrate or the other Magistrate, can pro-

ceed to the trial thereof; and in case of the absence or inability of both Magistrates to try the cause, where the defendant or defendants is in custody, the officer may take special bail for the appearance from day to day, before the Magistrate who issued the writ until trial can be had, or may commit the party in custody to await trial.

SEC. 28. Appeals shall be allowed from all decisions in the Police Magistrate's Court, arising under the city charter or any ordinance of the city, as well on the part of the city, as to any defendant or plaintiff, to the Circuit Court of Adams county; and any such appeal shall be taken and granted in the same manner and with like effect as appeals are taken from and granted by Justices of the Peace to the Circuit Court under the laws of the State.

Appeals on the part of the city may be taken by any city officer or citizen, upon the execution, by such officer or citizen, of a bond to pay all costs in said appeal, in like manner as is provided in section 101, page 330, Revised Statutes 1845, chapter LIX. In cases where an appeal is advised by the city council, the bond shall be executed by the Mayor and Clerk, in their official character in the name of the city of Quincy, and said bond, thus executed, shall be binding on said city.

The praying an appeal by any defendant in any suit by said city, for a violation of any city ordinance, shall in no case, suspend the issuing of execution, unless and until a good and sufficient appeal bond is executed and filed.

SEC. 29. The Police Magistrates, Constables, Marshal's witness and jurors' fees, shall be taxed in all cases where the service has been performed. But no city officer or watchman shall be allowed to charge for his attendance as a witness. In all cases where there is a conviction of the defendant, all costs shall follow and be collected from the said defendant. But in cases where the defendant is acquitted, or in cases where he serves out the fine or judgment in the calaboose, or pays the same by labor on the streets, the city shall pay to the officers the costs. *Provided*, that in no case shall the amount of costs paid by the city in any one year, exceed the whole amount collected for fines, forfeitures, penalties and breaches of ordi-

ances. And it is hereby made the special duty of the city council to see that vouchers or orders on the treasury for costs, shall be kept within the amount so collected from said fines, forfeitures and penalties. And to this end, vouchers for costs shall be issued at intervals of three months, and the amount thus issued, shall never exceed the amount on hand from such fines and forfeitures, as herein specified. Whenever the amount of costs claimed, and which may appear due to the officers, shall exceed the amount on hand from said fines, penalties, judgments and forfeitures, the same shall be allowed by the city council, in proportion to the several claims and the amount to be divided. The Police Magistrates shall quarterly furnish to the city council a list of the same, which shall include witness, jurors' and other fees; leaving blank columns in said list in which to mark the word paid, when vouchers or orders are issued for the whole, and a column for stating the amount paid when only a portion is so allowed. Said list shall be dated and signed by the Police Magistrate, and may be used as evidence of claims for costs before the city council for two quarters only, and shall be entered in a book kept for that purpose by the city clerk; and if the same is not paid in full at the end of two quarters, by reason of there being no funds on hand so collected from fines, forfeitures, penalties or judgments for violation of ordinance, the said officers shall have no further claim upon the city for said costs.

SEC. 30. The Police Magistrate when acting as a Justice of the Peace under the general laws of the State, shall charge the same fees as other justices are allowed for similar services.

When acting under the city ordinances, his fees shall be as follows, to-wit::

For every warrant, summons, subpoena, or fee bill,	25
For each continuance,	10
Administering each oath,	5
Dedimus to take depositions,	25
Entering judgment or order,	25
Issuing execution,	25
Entering appeal from judgment;	25
Transcript of judgment proceedings on appeal,	25
Taking and approving appeal bond,	50
Docketing each suit,	15
For each jury warrant,	25
Taking recognizance,	50
For taking special bail,	25
Entering verdict of Jury,	15
For each mittimus,	25

SEC. 31. The Marshal and Police Constable shall receive the same fees for serving, executing and returning process, and as keeper of the calaboose, that are allowed to the Constables of the State under the general laws of thereof, for similar duties; and the same as are received by jailors under the State law, for similar services.

For taking recognizance and making out a statement where he arrests without a warrant, 25

But in all cases where the recognizance is taken by a watchman or Alderman, there shall be no fees charged for the same. The Marshal or Police Constable shall pay to the Police Magistrate all fees collected by him except his own fees.

SEC. 32. Witnesses duly summoned in any suit before the Police Magistrate's Court, and attending the trial, shall be entitled to fifty cents in each case. In all cases where a witness is summoned at the instance of the city, his fees shall be paid by the said city, but the city shall, in case the defendant is

convicted or judgment found against him, be entitled to recover the same from said defendant.

In all cases where a witness or witnesses is or are subpoenaed at the instance of any defendant, the said defendant shall be bound to pay said witness or witnesses; but in case of acquittal or no conviction or judgment had against said defendant or defendants, he, she or they shall have judgment against the city for said witness fees. The same rule as the number of witnesses which may be summoned to prove one fact, that obtains before Justices of the Peace, shall apply under this ordinance.

SEC. 33. Jurors summoned and serving in the Police Magistrate's court shall receive in each case, each fifty cents. In no case shall a jury be summoned to try any case in the Police Magistrate's Court for any violation of city ordinance, until the party demanding the jury shall have first paid and advanced to the Police Magistrate the jury fee; and in case the defendant is acquitted, the jury fee shall be immediately paid back to said defendant, and the city shall pay the fee to the said jurors.

SEC. 34. *Be it further ordained,* That in all cases when complaint shall be made in writing on oath, before any Police Magistrate, charging any person or persons with violation of the city ordinances, such Police Magistrate may, instead of issuing summons or capias with directions, to take special bail for appearance, and without further affidavit issue the writ of "*Capias Ad-respondendum;*" which writ may be in the following form—

State of Illinois, }
Adams county, } ss.
City of Quincy. }

The people of the State of Illinois, to the Marshal or Police Constable of said city or any Constable of Adams county, GREETING:—

Whereas complaint has been made on oath that A. B. (here insert the charge substantially) in violation of the Ordinances of the city of Quincy. Therefore you are commanded that the body of the said A. B., you take if found in

said city, and safely have before me forthwith, together with this writ and due return hereof, to answer unto said complaint.

Given under my hand and seal, this day of
A. D. 185.

C. D. [L. S.]

Police Magistrate, of said city of Quincy.

SEC. 35. In case of such arrest, special bail shall not be taken, but the Police Magistrate before whom the cause is pending, may, for cause shown, continue the trial and require bail for appearance, and in default of such bail commit as in other cases.

SEC. 36. In all cases where the defendant is found guilty of violation of the city ordinances, the Police Magistrate may enter up judgment substantially as follows: "That the defendant make and render unto the city of Quincy the fine and forfeiture of dollars, together with costs of of prosecution;" and in all cases of rendition of judgment for violation of the city ordinances, the Police Magistrate may either issue execution against the goods and chattels, and in default thereof, against the body of the defendant, as hereinbefore provided by ordinance, or may in default of payment of such judgment, order that the said defendant stand committed until the same is paid, and may issue his writ of commitment for that purpose as in other cases.

SEC. 37. In all cases of commitment for non-payment of any fine and forfeiture recovered, or costs of same, the party committed shall be subject to labor on the streets of the city, in the custody and under the direction of the Marshal, Police Constable or Street Commissioner of the city, at the rate of one dollar per day, until the whole amount of the judgment rendered against him, including costs of the city, shall at that rate be paid; but if not required to perform such labor, and while not so laboring, shall remain in the common jail or calaboose of the city; and upon full payment as aforesaid, such party shall be discharged. The writ of commitment issued by the Police Magistrate, or a copy thereof, certified by such magistrate, shall be sufficient warrant to the Marshal, Police Constable or Street Commissioner to compel performance of such labor,

and to hold the custody of the body of such party for that purpose.

SEC. 38. Sections 34, 35, 36 and 37 of this ordinance are declared to be cumulative, and not in substitution of the other sections of the ordinance regulating proceedings for violation of the city ordinances.

SEC. 39. The Police Magistrate, Police Constable and City Marshal, in all matters pertaining to the duties of their respective offices, concerning which there is no specific provision by ordinance, shall be governed by the laws of the State of Illinois regulating proceedings in justices courts, and the duties of justices of the peace and constables, so far as the same may be applicable. *Provided*, the jurisdiction of the Police Magistrate, for any breach or violation of ordinance, shall in no case extend to any amount over one hundred dollars. And, *provided, further*, the Police Magistrate shall, in all process, be described as "Police Magistrate of the city of Quincy."

SEC. 40. When a defendant is acquitted, the informer or prosecutor may be adjudged to pay the costs, if it appears to the Police Magistrate that the prosecution was instituted vexatiously, maliciously or without probable cause.

NO. XXVI.

An Ordinance concerning Offences affecting Public Peace and Quiet.

- SEC. 1. 1. Unlawful assembly. Penalty for. Police Magistrate may recognize persons to answer to indictment.
2. Unusual noises. Penalty for. Licensed persons permitting, to forfeit license.
3. Obscene language, quarreling and disturbance of neighborhood. Penalty for.
4. Violating the Sabbath. Penalty for.
5. Disturbing religious and other meetings. Penalty for.
6. False alarm of fire. Penalty for.

SECTION 1. *Be it ordained by the City Council of the city of Quincy,* That any three or more persons who shall in this city assemble together with an intent, or being assembled, shall mutually agree to do an unlawful act, with force or violence, against the property of the city, or the person or property of another, or against the peace, or to the terror of others, and shall make any movement or preparation therefor; and every person present at said meeting or assembly, who shall not endeavor to prevent the commission or perpetration of said unlawful act, every such person so offending, shall forfeit and pay for the use of the said city, not less than three nor more than fifty dollars for each and every offence. *Provided,* however, that in all cases arising under this section, if, in the opinion of the Police Magistrate, the defendant or defendants shall be deemed guilty of a riot as defined by the laws of the State, the said magistrate shall, instead of entering judgment for the fine, hold the said defendant or defendants to bail, or commit to answer an indictment in the circuit court of Adams county.

SEC. 2. That no person shall suffer hallooing, shouting, bawling, screaming, profane or obscene language, fighting dancing, singing, whooping, or quarreling, or any other unusual noises or sounds, in his or her house, in such manner as to disturb the neighborhood, or those passing through the streets;

and every person so offending shall forfeit and pay, for the use of said city, not less than two dollars, nor more than twenty-dollars for the first offence, and for every subsequent offence, not less than five dollars, nor more than fifty dollars; and if the person so offending, be the keeper of a house licensed by said city, such person shall, upon a second conviction, incur a forfeiture of his license.

SEC. 3. That no person shall halloo, shout, bawl, scream, use profane or obscene language, dance, sing, whoop, quarrel or make any unusual noise or sound, in any house or in any part of said city, in such a manner as to disturb the good people of the neighborhood, or those passing through the streets; and every person so offending shall forfeit and pay, for the use of said city, not less than two dollars, nor more than twenty dollars for the first offence, and for every subsequent offence, not less than five dollars, nor more than fifty dollars.

SEC. 4. It shall not be lawful for any military company, or any procession, or any body of persons, to march or pass through the streets of the city on Sunday, accompanied by the sound of music; or for any person on Sunday to play in said streets upon any musical instrument. Whoever shall violate this section, shall forfeit and pay, for the use of said city, not less than three nor more than twenty dollars. *Provided,* that this section shall not be construed to prohibit the use of music on said day in connection with funeral ceremonies.

SEC. 5. Whoever shall in this city, disquiet or disturb any congregation or assembly, met for religious worship, by making a noise, or by rude and indecent behavior, or profane discourse within their place of worship, or so near the same as to disturb the order or solemnity of the meeting; or whoever shall, in this city, disturb any lawful assemblage of people by rude and indecent behavior or otherwise, shall forfeit and pay, for the use of the city, not less than one nor more than fifty dollars for every such offence.

SEC. 6. It shall not be lawful for any one, in this city, to give or make a false alarm of fire; and every person so offending, shall forfeit and pay, for the use of said city, not less than three nor more than fifty dollars, for every such offence.

NO. XXVII.

An Ordinance concerning Offences against Public Morals and Decency.

SEC. 1. Drunkenness. Penalty for.

2. Indecent exposures, exhibitions, pictures, &c. Penalty for.
3. Public bathing. Penalty for.
4. Gaming houses. Penalty for keeping.
5. Permitting persons to come together for gaming. Penalty for.
6. Amusements and business on the Sabbath. Penalty for.
7. Gaming devices. Gaming. Penalty for. Devices for, and may be destroyed.
8. Bawdy houses. Penalty for keeping.

SECTION 1. *Be it ordained by the City Council of the city of Quincy,* That it shall not be lawful for any person to be found in this city in a state of intoxication, in any highway, thoroughfare, or other public place; and every person so offending, shall forfeit and pay for the use of said city, not less than one nor more than twenty dollars for each and every offence.

SEC. 2. No person shall in this city, appear in any public place in a state of nudity, or in a dress not belonging to his or her sex, or in any indecent or lewd dress, or shall make any indecent exposure of his or her person, or be guilty of any indecent or lewd act or behavior; or shall exhibit, sell or offer to sell, any indecent or lewd book, picture or other thing, or shall exhibit or perform any indecent, immoral or lewd play or other representation, and every person so offending, shall forfeit and pay for the use of said city, not less than five, nor more than fifty dollars for each and every offence.

SEC. 3. No person shall be allowed to bathe, wash or swim in the Mississippi river, or in any other watercourse, pond or pool in this city, between sunrise and one hour after sunset, being naked or insufficiently clothed to prevent improper exposure of his person; and every person so offending, shall forfeit and pay for the use of said city, not less than one nor more than ten dollars for each and every offence.

SEC. 4. That no person shall, by himself, herself, servant or other agent, or for his or her gain or profit, keep, have, exercise or maintain a common gaming house, table, room or place whatsoever, within the limits of said city; and every person so offending, shall forfeit and pay for the use of said city, not less than twenty-five nor more than one hundred dollars for each and every offence.

SEC. 5. That no person in any house or place occupied by him or her, within the limits of said city, shall procure or permit any persons to frequent or come together, at any time, to play for money or other valuable thing at any game; and every person so offending shall forfeit and pay for the use of said city, the sum of not less than twenty-five nor more than fifty dollars for each and every offence.

SEC. 6. No person in this city, shall play on Sunday at billiards, ten pins, or other game of amusement, or at any game of amusement in any highway or other public place; nor shall, on that day, sell or offer to sell any merchandize, or fermented or distilled liquors; nor shall keep his store, shop or other place of business open; and every person so offending, shall forfeit and pay, for the use of said city, not less than ten nor more than one hundred dollars, for each and every offence.

SEC. 7. No person shall, within this city, set up or keep any kind of gambling device or thing, at which any game of chance shall be played for money or property, or any thing representing money or property; nor shall at any such device or game of chance, bet, win or lose any money or property *in specie*, or by means of any thing representing the same; nor shall suffer any such device, at which any game of chance is played, to be set up or used in any tenement in his possession or under his control; and every person so offending, shall forfeit and pay, for the use of the said city, not less than five nor more than one hundred dollars for every such offence. And it shall be in the power of the Police Magistrate, on receiving satisfactory information of any such device or thing being so set up and used, to issue his warrant to the City Marshal or Police Constable, commanding him to destroy the same, which warrant shall be immediately executed.

SEC. 8. No person shall, in this city, keep a bawdy house, house of ill-fame, or of assignation, or permit any tenement in his possession, or under his control, to be used for any such purpose; and every person so offending, shall forfeit and pay, for the use of said city, not less than twenty-five dollars nor more than one hundred dollars for every such offence. *Provided*, that it shall and may be lawful for the Mayor, upon information given him of the keeping of any such house, or of any police officer of said city, under his direction, to enter such house peaceably, or forcibly, if resistance is made, and arrest, without warrant, any and all persons found therein, and commit them to the calaboose (if special bail be not given) until the opening of the next session of the Police Magistrate's Court, and for making such arrest he shall have full power to call to his aid any male citizen of said city over eighteen years of age, and any person so called upon, who shall refuse to render such assistance, shall forfeit and pay for the use of said city, not less than three nor more than one hundred dollars for every such refusal.

NO. XXVIII.

An Ordinance concerning Offences affecting Public Safety.

- SEC. 1. Firing guns, pistols, crackers, &c. Penalty for.
2. Kindling fires in streets, &c. Penalty for.
3. Immoderate riding, driving, &c. Brutal treatment of animals.
Penalty for.
4. Mode of vehicles passing in streets.

SECTION 1. *Be it ordained by the City Council of the city of Quincy*, That no person shall, within the limits of said city, fire or discharge any cannon, musket, rifle, fowling piece, or other fire-arms, or air-gun, except in cases of necessity, or in the performance of a public or lawful act of duty, or discharge or set off any cracker, rocket, torpedo, squib or other fire-works, within the limits of said city, without permission

first obtained from the Mayor or one of the Aldermen, Police Constable or Marshal of said city; and every person so offending, shall forfeit and pay for the use of said city, not less than one dollar, nor more than ten dollars for every such offence.

SEC. 2. That no person shall, in any of the streets, lanes, avenues or alleys of said city, or upon the public squares therein, make or kindle any fire, without first having obtained permission as provided in the preceding section; and every person so offending shall forfeit and pay, for the use of said city, not less than one dollar, nor more than ten dollars for every such offence.

SEC. 3. No person shall in this city, ride or drive any beast of burden, in any highway, thoroughfare or other public place beyond a moderate gait, unless in a case of urgent necessity; nor shall ride or drive any such animal, as to cause such animal or any vehicle thereto attached to come in collision with, or strike any other object or any person; nor shall leave any such animal standing in any public place without being fastened, or so guarded as to prevent its running away; nor shall inhumanly, unnecessarily or cruelly treat, injure or otherwise abuse any such dumb animal; and every person so offending, shall forfeit and pay, for the use of said city, not less than three nor more than one hundred dollars for every such offence.

SEC. 4. In all cases of persons meeting each other in vehicles, in any highway or thoroughfare in this city, each person so meeting, shall turn off and go to the right side of the highway or thoroughfare, so as to enable such vehicles to pass each other without accident. Whoever shall violate this section, shall forfeit and pay, for the use of said city, not less than one nor more than ten dollars for every such offence. *Provided*, nothing herein shall prevent the party injured from maintaining his action at law against the wrong doer.

NO. XXIX.

An Ordinance Relating to Offences concerning City Property, Public Squares, the Streets and Private Property.

- SEC. 1. 1. Injuring fences and trees, sidewalks, or any city property. Putting animals into public grounds. Penalty for.
2. Riding or driving on sidewalks. Fastening animals, &c. Penalty for.
3. Obstructions or pits in streets. Penalty for.
4. Eaves and conductors of houses. Penalty.
5. Leaving open cellar doors, vaults, &c. Penalty for.
6. Sidewalks to be kept open. Obstructions removed. Penalty for obstructing.
7. Obstructing streets with vehicles. Penalty for.

SECTION 1. *Be it ordained by the City Council of the city of Quincy,* That no person shall walk or run on the capping of any fence or fences, around any or either of the public squares in this city, or in any wise deface or injure said fences, or cut, hack or injure any tree or trees standing in said squares, or growing in any street or sidewalk in said city; nor deface or injure any other property belonging to the city, or wilfully injure any property belonging to any fire company, or hook and ladder company, or any property pertaining to the fire department; nor shall wilfully injure any public well, cistern or pump; nor shall turn any cow, horse, or other domestic animal into said public squares or either of them; and every person so offending, shall forfeit and pay for the use of said city, not less than one nor more than one hundred dollars for every such offence.

SEC. 2. No person shall, in this city, lead, ride, drive, or place any beast of burden or vehicle, on any paved sidewalk or foot way, otherwise than in going into or out of premises owned or occupied by him, or his employers; or shall hitch or fasten any animal to a fire plug, pump or hydrant, or to any fence, or ornamental or shade tree, lamp-post or awning post, not belonging to him or his employers; and every person so offending, shall forfeit and pay, for the use of said city, not

less than one nor more than fifty dollars for each and every such offence.

SEC. 3. No city officer, contractor or other person in the city, shall make any excavation in any highway or thoroughfare, without providing, during the night, a temporary fence or suitable obstruction around or in front of the same, to prevent persons animals, or vehicles from falling into the same; and every person thus offending, shall forfeit and pay for the use of said city, not less than five nor more than fifty dollars for each and every offence.

SEC. 4. Every person owning or occupying any building in this city, shall cause the pipes conducting the water from the eaves of the building, to be so constructed or altered, as not to spread the water over the sidewalks; and every person neglecting to comply with this section, shall, for every such offence, forfeit and pay for the use of said city, not less than one nor more than ten dollars, for every week he or she so neglect to cause the said pipes to be so constructed or altered, as not to spread the water over said sidewalk.

SEC. 5. No person shall, in this city, leave open any cellar door, grating or vault, on any highway, thoroughfare, or sidewalk, or suffer any such door or grating belonging to premises occupied by him, or any such place, to be in an insecure condition, whereby passers may be in danger of falling into a cellar or vault; and every person so offending, shall forfeit and pay for the use of said city, not less than one nor more than one hundred dollars, for each and every such offence.

SEC. 6. That every person owning, acting as agent for or occupying any building or lot in said city, fronting on or adjoining any sidewalk in said city, shall keep or cause the said sidewalk to be kept open, and free from all obstructions, barriers and impediments of every description; and the Street Commissioner shall cause every such obstruction, barrier or impediment to be immediately removed; in case the same is not removed within a reasonable time by the owner, agent or occupant of the building or lot fronting on or adjoining such sidewalk, on being notified by the Street Commissioner; and

if such notice is not complied with, such owner, agent or occupant shall forfeit and pay for the use of said city, not less than two nor more than twenty-five dollars for every such offence, as well as all expense incurred by the Street Commissioner in removing or causing the same to be removed, *Provided*, that it shall and may be lawful for any citizen of said city to prefer complaint before the Police Magistrate's Court for any violation of this ordinance; prior to the giving of the notice herein-before set forth, upon such complaint being made by any citizen, the party found guilty of violating the provisions of this ordinance shall forfeit and pay, for the use of said city, not less than one nor more than ten dollars for every such offence; *Provided, further*, that the Street Commissioner shall permit temporary obstructions to persons in receiving, selling or removing fuel, lumber, plank, boxes of merchandize, and other articles of trade, if such obstructions be removed within twenty-four hours.

SEC. 7. That all drays, carts, wagons or other carriages of any description, laden or unladen, unemployed or when making temporary stoppages in any of the streets, lanes, avenues or alleys shall be placed by the drivers thereof on either side of the street, lane, avenue or alley, lengthways close to the curb stone, or in such a position that the centre of the street, lane, avenue, or alley may be left open and free for all carriages, drays, carts, wagons or other conveyances going to and fro; but no such dray, cart, wagon or other carriage, shall be placed in any street or near the intersection of any street, lane, avenue or alley, in such manner as to cross the footway, or prevent a free passage in such pathway, street, lane, avenue or alley. Nor shall any dray, cart, wagon or other carriage when unemployed, be left or permitted to stand in any street, lane, avenue or alley without leaving at least thirty feet of the centre of such street, lane, avenue or alley for travel to and fro. *Provided*, that no person shall be permitted to place any wagon, cart, dray or other carriage lengthways of the curb stone as herein before provided, except he or she be the owner of the lot before which the same shall be placed, and eve-

y person violating of any of the provisions of this section, shall forfeit and pay for the use of said city, not less than one nor more than fifty dollars for each and every offence.

NO. XXX.

In Ordinance concerning Offences against Official Authority, and Concerning the abuse of Official Authority and the Neglect of Official Duties.

- SEC. 1. Assuming official authority. Resisting officers, &c. Penalty for. P. M. may recognize persons resisting to answer to indictment.
2. Officers refusing to perform duties. Penalty for.
 3. Officers may be removed, and proceedings therein.
 4. Officers to surrender books, &c.

SECTION 1. *Be it ordained by the City Council of the City of Quincy,* That no person shall, in this city, falsely represent himself to be an officer of this city, or shall, without being duly authorized by the city, exercise or attempt to exercise any of the duties, functions or powers of a city officer; or shall hinder, obstruct, resist or otherwise interfere with any city officer in the discharge of his official duties, or attempt to prevent any such officer from arresting any person, or attempt to rescue from such officer any person in his custody; and every person so offending shall forfeit and pay for the use of said city, not less than five nor more than one hundred dollars, for each and every offence. *Provided*, however, that if in the opinion of the Police Magistrate after hearing evidence, the defendant or defendants appear to be guilty of any indictable offence under the general laws of the State, it shall be the duty of the Police Magistrate to hold said defendant to bail, or commit him or them to answer said indictment in the Adams county Circuit Court, and in such case the Police Magistrate shall inflict no fine under this section.

SEC. 2. Every officer appointed by the city council, who shall fail or neglect to perform any duty assigned him by or-

dinance, shall, for every such offence, forfeit and pay for the use of said city not less than five nor more than one hundred dollars for every such offence.

SEC. 3. That any officer appointed by the city council may be removed by a majority of said council for incompetency, or any dereliction or violation of duty, on the complaint in writing of any inhabitant of said city, or whenever the said council shall think the interests of said city require said removal; *Provided*, however, that no officer shall be removed as aforesaid, until he shall have had notice of such intended removal and of the charge or charges preferred against him, served on him by the city clerk, and an opportunity to exculpate himself before said council.

SEC. 4. That each officer herein mentioned, on his resignation, removal, or expiration of his term of office, shall deliver to his successor, all books, papers or other property pertaining to such office.

NO. XXXI.

An Ordinance Concerning Penalties in the Police Magistrate's Court.

SEC. 1. Penalties not provided for, what to be.

SECTION 1. *Be it ordained by the City Council of the city of Quincy*, That whoever shall be convicted in the Police Magistrate's Court under any ordinance of the city, in case where no specific penalty is prescribed, shall forfeit and pay for the use of said city, a sum not less than three nor more than one hundred dollars for any such offence.

NO. XXXII.

An Ordinance Relating to the Public Schools of the City.

- SEC. 1. Superintendent to have control of Schools. Superintendent's powers and duties. To be under supervision of City Council.
2. Superintendent to keep record of his acts and account of expenses. To make reports to Council. Other powers and duties.
3. Council to appoint Board of Visitors. Their powers and duties. To examine teachers; make report to Council.
4. How expenses of Schools paid, and claims how allowed.
5. City Treasurer, School Treasurer. His duties and compensation.
6. How enumeration of children taken. Compensation.

SECTION 1. *Be it Ordained by the City Council of the city of Quincy,* That the Superintendent of Schools shall have the control and direction of the Public Schools of the city. He shall employ teachers, fix their respective salaries, and he is hereby authorized to draw orders on the City Treasurer, quarterly, for the amount of salary due to each respectively, direct their labors, decide on the books, maps, globes, charts and apparatus to be used in the public schools, attend to the condition and repair of school houses, provide furniture necessary for school rooms, provide fuel for the several schools, personally visit each school once in two weeks, and examine into the condition and conduct of the same. He shall attend to furnishing the respective schools with whatever may be necessary for the convenience of the teachers and scholars, of ordinary use in public schools, and certify to the city council the amount due any person for teaching when required. He may discharge teachers for incompetency, or other reasonable cause, subject to the approval of the city council. He may establish a code of rules for the government of the public schools, and alter or annul the same. He shall be under the supervision of the city council and said city council may generally direct him in the discharge of his duties, and sanction or annul his acts and doings at pleasure.

SEC. 2. *Be it further ordained,* That said superintendent shall keep a record of his actings and doings, and an account

of all expenses arising from the public schools. He shall keep an account with each teacher, as well as between himself and the city, and the same shall be a public record of the city, subject at all times to the inspection of the city council and persons interested, and shall be submitted to the city council, together with his annual report hereinafter mentioned. He shall make annual reports to the city council in writing on or before the first day of July of each year, showing the expenses of the public schools for the previous year and the items thereof, and shall so soon as practicable thereafter, make settlement with the city council for the previous year. The annual report provided for in this section shall also exhibit and show the number of public schools within the city, the number of school houses and school apartments, the number of teachers employed, male and female, and the salary of each; the number of children admitted to the several public schools during the previous year, the average number of scholars attending, and the total number of days attendance; the branches of learning taught, the leading books used, and such other statistical information relating to the public schools as he may be able to obtain; and to which report said Superintendent shall append such information, recommendations and suggestions as he may deem advisable. A synopsis of said report shall be published in the city newspapers, so soon as practicable after the same shall be made annually.

SEC. 3. *Be it further ordained,* That the city council shall appoint, so soon as practicable, a board of Public School Visitors, consisting of three residents of the city, who shall hold their offices until the next annual organization of the city council, and who shall thereafter be appointed annually, in manner provided by ordinance for the appointment of city officers by the city council. Said Board of Visitors, or a majority of them, shall examine all teachers and decide on their qualifications, and shall grant certificates of qualification to teachers; and no teacher shall be employed without such certificate of qualification; *Provided*, in case of the absence or inability of a majority of said board, teachers may be employed, until such examination can be made. Said board of visi-

tors shall, on request of the Mayor, and as often as once in every three months, visit the several public schools of the city, and enquire into and examine the mode of teaching, the books and apparatus used, the competency and conduct of the teachers, the proficiency of the scholars, and the general condition of the schools, and shall make report in writing, of the condition thereof, appending to their report such information, recommendations and suggestions in relation to said schools as they may deem advisable.

SEC. 4. *Be it further ordained,* That the expenses of the public schools shall be paid out of the district school fund, and in case the same shall be insufficient, the deficit shall be paid out of the common treasury of the city, as the city council may from time to time order. All claims against the city, or any fund thereof, accruing on account of the public schools, except salary of Superintendent and salaries of Teachers, shall be audited by the Auditing Committee, and before they are paid, allowed by the city council..

SEC. 5. *Be it further ordained,* That the City Treasurer shall be *ex officio* treasurer of the Quincy School District, and shall perform such duties and receive such compensation, where not otherwise provided by ordinance, as treasurers of school townships may be entitled to in like cases, under the laws of this State relating to common schools; and shall perform such other duties as may be required of him by the city council.

SEC. 6. *Be it further ordained,* That the City Treasurer shall take or cause to be taken correct enumerations of the children within the Quincy School District, and make return thereof to the School Commissioner of Adams county, at the time and in the manner provided by the laws of this State relating to common schools; and the city council shall allow him such compensation therefor as may be equitable..

NO. XXXIII.

*An Ordinance Concerning Assessments for Paving, Planking or
McAdamizing the Streets and Alleys.*

- SEC. 1. When majority petition. Committee to estimate and report plan.
2. Order. Form of.
3. Commissioners to assess.
4. Clerk to notify. Oath to be taken.
5. Notice of commissioners. Certificate to be attached.
6. Assessment Roll. Form of &c.
7. Return of assessment. Clerk to give notice of.
8. Confirmation of assessment.
9. Collectors warrant. Form of.
10. Collector. Powers of.
11. Assessment when valid.
12. City to improve. Compensation of Commissioners. How paid.

SECTION 1. *Be it ordained by the City Council of the city of Quincy,* That whenever a major part of the owners or holders of real estate, either of lots or parts of lots fronting on any street or alley, or part of street or alley, shall petition the city council for paving, planking or macadamizing said street or alley or part of street or alley, and the said council shall deem it necessary to cause the same to be so paved, planked or macadamized, the subject shall be referred to an appropriate committee of not less than three, whose duty it shall be to prepare and report to the council the plan of such improvement, with an accurate estimate of the expenses thereof, including the supposed cost of making the assessment as hereinafter provided; it shall be the duty of the City Engineer to assist the committee in making said estimate; said estimate shall be made in writing, and shall be submitted to the council in connection with the report.

SEC. 2. Whenever such improvement shall be ordered by the council the order therefor may be in the following form:

"Ordered that street, from street to street be planked, (or otherwise improved as the case may be,) with (here describe the materials of planking, &c.,) and the sum of dollars be assessed upon the real es-

tate in the division of the city benefitted thereby, to defray expenses of such improvement.

SEC. 3. When the assessment shall be ordered, the city council shall, by ballot, elect, three reputable freeholders residing in the city to make the same; if elected at time of said order, the names shall be recorded by the clerk in connection therewith, as follows:

"The city council thereupon proceeded to make choice by ballot of three Commissioners to make such assessment. On the first ballot (or as the case may be) A. B. C. D., &c., received ballots each (or as the case may be,) which being the majority of all the Aldermen of the city, they were declared duly elected as Commissioners to make the said assessment; (if the election be held subsequent to the passage of any order for an assessment, the order should be so changed as to conclude after the word commissioners as follows, to assess the sum of dollars, on the real estate in the division, benefitted by the (state the nature of the improvement,) in pursuance of an order of the city council, passed

185 ."

SEC. 4. The clerk shall make out notices of the appointment to the Commissioners, requiring them to appear and be qualified as such within five days after the service of notice. Notices shall be served by the City Marshal. Commissioners shall take the following oath, to be entered upon or attached to their assessment roll. "The undersigned Commissioners, appointed by the city council of the city of Quincy, to assess the sum of dollars upon the real estate, by us deemed benefitted by the planking of (or otherwise improving,) street, in proportion to the benefits resulting thereto, as nearly as may be, do solemnly swear that we will faithfully and impartially execute our duty according to the best of our ability.

A. B. }
C. D. }
E. F. } Commissioners.

Sworn to and subscribed before me this day of
185 .

SEC. 5. Before entering upon their duties, the said Commissioners shall give at least six days notice in a public newspaper printed and published in the city of Quincy, of the time and place of meeting, for the purpose of making their assessments; and they may, if necessary, adjourn from day to day. Such notice may be in the following form :

COMMISSIONERS NOTICE.

Public notice is hereby given to all persons interested that the undersigned Commissioners appointed by the city council of the city of Quincy, to assess the sum of dollars on the real estate in the division, by us deemed benefitted by the (here state the substance of the order,) will meet at in said division, on the day of at the hour of o'clock, M., for the purpose of making said assessment :

A. B.
C. D.
E. F. } Commissioners.

Quincy, _____, 185 .

The Commissioners shall attach to their assessment roll a certificate of such publication, signed by the proprietor of such public newspaper.

SEC. 6. The Commissioners shall be present at the time and place mentioned in such notice, for the purpose of making the assessment. When the same shall be completed, it shall be entered in a well bound book to be provided by the city, the roll shall contain the names of the owners of real estate when known, a description of the lots and parts of lots which may be assessed, the valuation of each separately, and the sums of money assessed thereon. It may be in the following form :

ASSESSMENT ROLL.

A description of the real estate in the division of the city of Quincy, deemed benefitted by the planking, (or otherwise as the case may be,) street, (or part of street as the case may be,) with the valuation thereof, and the sums of money severally assessed thereon by the Commissioners, to-wit :

Original town (or as the case may be.)

Description of plat or block.	Lot.	Block.	Valuation.	Assessm't.	Real Val.	Real As'mt.
John Smith,	3	10	1,000	\$18,25	00	00
Unknown,	5	11	500	9,12	00	00

When the said roll shall be completed, the Commissioners shall attach thereto a return which may be in the following form :

The undersigned freeholders and residents of the city of Quincy, duly elected and appointed by the city council of the city of Quincy, to assess the sum of dollars on the real estate in the division of the said city, by us deemed benefitted by the planking street; (or otherwise improving the same,) do hereby report to the city council : That in pursuance of said appointment they were duly qualified before entering upon their duties as appears by the oath recorded herein, that they published a notice of the time and place of their meeting for the purpose of making such assessment in the a public newspaper printed and published in the said city, for the period of six consecutive days previous to such meeting; a certificate of which publication is hereto annexed, that they were present at the time and place and for the purpose designated in the said notice, and did then and there, and do hereby in pursuance of said appointment, assess the said sum of money upon the real estate hereinbefore set forth and described as benefitted in the respective proportions of said sum set opposite to each lot and part of lot respectively, in the foregoing assessment roll, having first fixed a valuation on said real estate, which is likewise set forth in the said roll.

All of which is respectively submitted.

A. B.
C. D.
E. F. } Commissioners.

SEC. 7. The commissioners shall complete the assessment roll and file the same in the office of the City Clerk, within twenty days after their appointment, unless further time shall be given them for that purpose. The Clerk shall thereupon cause a notice of the return of such assessment, to be published for six days in some public newspaper published in said city, and a certificate of the propriety thereof shall be written upon or attached to the roll. The notice may be in the following form :

ASSESSMENT NOTICE.

City Clerk's Office,
City of Quincy, 185 . }

Public notice is hereby given to all persons interested, that the Commissioners appointed by the City Council of the city of Quincy to assess the sum of dollars on the real estate in the division benefitted by (here state the substance of the order) have completed their assessment, and made return thereof to my office. Any person wishing to appeal from said assessment, must file their objections, in writing, in my office, on or before the day of , 185 , at o'clock, M. as the City Council will then at that time meet at my office to hear all objections to the assessment, and will revise and confirm, or annul the same.

A. B., Clerk.

SEC. 8. When all objections to the assessment shall have been heard, and the roll revised and corrected by the City Council, an order of confirmation shall thereupon be entered by the Clerk, (if such order shall be made,) which order may be in the following form, to wit :

Whereas, due notice has been given by the City Clerk, of the return of the assessment made by the Commissioners appointed by the City Council, on the day of 185 , to assess the sum of dollars on the real estate in division, benefitted by the (here state the nature of the assessment,) and all objections to such assessment having been duly heard and disposed of by the City Council, (or "no objections thereto having been made," as the case may be,) it is therefore ordered, that the said assessment, as revised and corrected by the City Council, be and the same hereby is confirm-

ed. It is further ordered that a warrant be issued for the collection thereof, returnable within thirty days from its date.

SEC. 9. Warrants issued for the collection of any special assessment, may be in the following form :

COLLECTOR'S WARRANT.

State of Illinois, }
City of Quincy. } The people of the State of Illinois, to
to the Marshal and Collector of the city of Quincy, greeting :
Whereas, the City Council of the city of Quincy did on the
day of 185 , confirm the assessment duly made and filed
in the City Clerk's office, by the Commissioner's appointed by
the City Council to assess the sum of dollars on real es-
tate in the division of said city, deemed benefitted by
(here state the terms of the original order,) in proportion to
the benefits resulting thereto, in pursuance of an order for said
assessment made by the City Council on the day of ,
185 , (if the roll has been revised by the Council then add
“after duly revising and correcting the same,”) and did there-
by assess the said sum of money upon the real estate described
in the roll of said assessment, in the respective proportions
thereof marked “assessments,” set opposite to each lot, or part
of lot, and described in said roll, which roll is in the words
and figures, to wit :

ASSESSMENT ROLL.

(Here insert a true and perfect copy of the corrected assess-
ment roll, with a blank column for the entry of payments.)

Now, therefore, you are hereby commanded to make levy
and collect, of the goods and chattels of the respective owners
of the real estate above described, the several sums of money
assessed thereon, for which each may be liable as aforesaid,
and hereof make due return in what manner you shall execute
this writ, within thirty days from the date thereof.

Witness: (J. W.) Mayor of the city of
[L. S.] Quincy, and the coporate seal thereof,
this day of 185 .

J. W. Mayor.

Attest: A. B. Clerk.

SEC. 10. The Collector shall have the same powers in the

collection of warrants for assessment as for general taxes. If any part of the assessment shall not be collected by the return day of the warrant, he shall make return thereof in the manner required for the return of the delinquent list under the revenue act of said city, and the same order of sale, and notice thereof, shall be made and given in the same manner as prescribed by the ordinance of said city, relating to the revenue.

All assessments for special tax, as aforesaid, shall be charged to the Marshal as Collector, and said Marshal shall be liable therefor in the manner and to the same extent as for general taxes.

SEC. 11. No assessment shall be deemed to be invalid in any case where the same shall be made in conformity with law, though the same should not be made in conformity with the proceedings and forms herein prescribed.

SEC. 12. That whenever the city shall order an assessment for any of the improvements herein, the city shall, at the cost of the city, make the like improvements at the squares or cross streets, and make the gutters on each side of the street where the improvements are made, and also in front of all alleys and public ground.

The commissioners appointed under this ordinance shall receive as a compensation for each day's actual service, the sum of two dollars; and the same compensation shall be allowed the person collecting said tax, as is now provided for like service under the revenue ordinance of the city. Said services to be paid out of said assessment, and to be made a part of the estimate of the cost of said improvement.

NO. XXXIV.

An Ordinance to Establish and Regulate the Police Department.

SEC. 1. Establishment of—and what.

2. How appointed.
3. Term. Salary.
4. Mayor to have control of. May remove.
5. Police Constable chief of. Duties and powers of.
6. Watchmen. Duties of. Powers of. Prohibitions.
7. Watchmen. Age of. Oath. Bond required.
8. Fine. Removal from.
9. Calaboose. Keeper of.
10. Power to arrest. How—when and who.
11. To call assistance. Penalty for refusing.
12. Bail may be given. Form of. Statement of officer.
13. Police. Who may call out.
14. Bond. Who approved by.
15. Fines paid over.

SECTION 1. *Be it ordained by the City Council of the city of Quincy,* That there shall be and hereby is established a Police Department, to consist of the mayor, a police constable, and such watchmen as may be appointed in the manner hereinafter prescribed.

SEC. 2. The police constable and watchmen shall be appointed by the city council, and any candidate for either of said offices receiving a majority of the votes cast shall be declared elected, any ordinance to the contrary notwithstanding.

SEC. 3. The police constable and watchmen shall hold their appointment for the time specified in the order making their appointment, (unless discharged as hereinafter provided) and shall receive such salary as shall be designated therein.

SEC. 4. The mayor shall have the general supervision and control of the city police. He shall from time to time make such regulations touching their duties under the ordinance, as to him shall seem best for the maintainance of order in the city, and for enforcing a due observance of the ordinances thereof. He shall require of the city police a strict performance of their duties; and in the case of the neglect or refusal of any officer appointed under and by virtue of this ordi-

nance to perform his duty, or for any drunken or riotous conduct, it shall be his duty to discharge the officer so neglecting or refusing, from the service of the city, and appoint a substitute to serve until the next meeting of the city council thereafter.

SEC. 5. The police constable shall be chief of the city police, (subordinate only to the mayor and council in session) and all the watchmen shall be in subordination to him, except in cases otherwise provided by ordinance. It shall be his duty to collect all dues coming to the city (not peculiarly within the province of the marshal to collect.) He shall see that the sidewalks, streets and alleys are kept free from rubbish and other impediments, and that the ordinances are strictly conformed to. It shall also be his duty to see that the watchmen are on duty every night; appoint their different districts or beats each evening, and in case of the sickness or necessary absence of any of the watchmen, to employ a substitute or substitutes until his or their return to duty, or until the next meeting of the city council. It shall also be the duty of the police constable to report to the city council, at their stated meetings, monthly, the number of nights each watchman has performed duty in the preceding month, which report shall be verified by the oath of said constable.

SEC. 6. It shall be the duty of the watchmen to meet at such places as may be designated by the police constable, every evening at nine o'clock, and to continue in active duty until four o'clock, A. M., from April the first until October the first; and until five o'clock, A. M., the remainder of the year, under such rules as may be provided by the mayor or police constable. The watchmen shall have power and authority for the purpose of making arrests and quelling disorders while on duty; to enter in a peaceable manner, or if resisted, after demand made, with force into any house, store, shop, grocery or other building, whatever, where any illegal practices or violations of the ordinances are being carried on. But no watchman shall, while on duty as such, enter any public house, dram shop or drinking saloon, except for the purpose of making arrests or quelling disorders.

SEC. 7. Every person appointed on the police of the city as hereinbefore provided for, shall not be less than twenty-five and not more than fifty years of age, and at the time of his appointment shall have resided in the city at least two years next preceding his appointment, and he shall be able to speak the English language distinctly, and not interested or employed in the keeping of any tavern, inn, coffee house, beer house or dram shop; and before entering upon the duties of his office, take and subscribe an oath that he will, during his continuance in such office, faithfully discharge the duties of the same to the best of his ability, and shall give bond with security—the police constable in the sum of \$1,000, and the watchmen in the sum of \$200 each, to be approved by the city council.

SEC. 8. Any person appointed to any office under the provisions of this ordinance, who shall be derelict in the performance of his duties therein in any particular, shall on conviction thereof, be fined in a sum not less than five nor more than fifty dollars, and shall forfeit all arrears that may be due him from the city for services in said office, besides being subject to removal as hereinbefore provided; said fine to be sued for and recovered as in cases of other breaches of the city ordinances.

SEC. 9. There shall be designated from time to time by the city council, a calaboose, jail, or city prison, within the limits of said city, for the punishment of such offenders by imprisonment therein, as shall fail or refuse to pay the fines and forfeitures which may be rendered against them, or shall refuse or fail to give bail when arrested to answer for any violation of any ordinance of the city, or shall be subject to imprisonment under the authority of any ordinance. The police constable shall have charge of the calaboose, subject to and under the supervision of the mayor.

SEC. 10. The members of the city police shall be regular and punctual in the discharge of their duties; they shall to the best of their abilities, preserve order, quiet and peace throughout the city; they shall arrest without warrant, any person found violating any law or ordinance; any person making loud and unusual noises, or otherwise disturbing the quiet and order of the city; any person found at any time of day or night,

being in a state of intoxication, in any street, sidewalk, alley or other public or exposed place in said city; any person who shall be exhibiting in said city any indecent act or conduct, calculated in any way to disturb the peace and good order by collecting crowds on the streets, sidewalks or elsewhere in said city or otherwise; any person using in any public or exposed place in said city, obscene or boisterous language. They shall also arrest without warrant all persons who may be found lurking about under suspicious circumstances, and secure them for examination; the officer making any such arrest shall forthwith take the party arrested before a police magistrate, to be dealt with according to law and as provided by the ordinances. Should the officer make such arrest in the night, or at any other time when a police court is not in session, he shall convey the party to the calaboose, and there detain him until the sitting of the next police court thereafter, unless bail be given as provided in section "twelve" of this ordinance.

SEC. 11. The mayor, marshal, and every member of the police department, are hereby severally authorized to call upon any inhabitant of the city to assist in quelling any riotous or disorderly conduct, or to aid in arresting or safe keeping any person accused of crime or breach of the law or ordinance; and any inhabitant so called on who shall neglect or refuse to give such aid and assistance to the best of his ability, shall be subject to a fine of not less than five nor more than fifty dollars, to be sued for and recovered as in other cases of other breaches of city ordinances.

SEC. 12. Any person arrested without warrant for any offence, under any ordinance, shall have the right to release himself or herself from custody by giving bail or recognizance for his appearance at the opening of the next police court thereafter, and for his remaining to answer said offence, which said recognizance shall be in form and substance substantially as follows:

State of Illinois, }
City of Quincy, } ss.
Know all men by these presents, that
we, A. B. and C. D., are severally and jointly held and bound
unto "the city of Quincy," in the penal sum of
dollars, for the payment whereof we hereby jointly and sever-

lly bind ourselves, our heirs, executors, or administrators.
igned and sealed this day of A. D. 185 .

M—N—, Marshal, or
C—P—, Watchman, or
J—R—, Police Constable. } }

To which recognition thus executed and acknowledged, the person making the arrest shall add a statement of the form and effect following, to wit:

A— B—, to the city of Quincy, Dr.

To dollars, for breach of ordinance, as specified in the above and foregoing recognizance. The amount of said recognizance and statement shall in no case exceed one hundred dollars, and may be varied according to the penalty for the violation charged, and the same shall be filed with the police magistrate, on or before the opening of the court.

SEC. 13. The city police shall be subject at all times, day or night, to be called out by the mayor, aldermen or police magistrates, to make arrests, quell disorders, maintain peace, or suppress riots in said city.

SEC. I4. In all cases of arrest, when the parties arrested, wish to give bond for appearance as herein above provided, said bond shall be approved by a police magistrate, if convenient, when such approval is not convenient to be had, said bond shall be approved by the officer making the arrest.

SEC. 15. All fines and penalties collected under this ordi-

nance, shall be paid by the officer collecting to the police magistrate, and by him paid over to the treasurer.

NO. XXXV.

An Ordinance Regulating the Erection and use of Scales on Streets. &c.

- SEC. 1. License required. Terms of.
2. On private property.
3. Register to Keep.
4. Fee for Weighing.
5. Penalty.

SECTION 1. *Be it Ordained by the City Council of the city of Quincy,* That all persons now owning or renting Hay Scales, or any scales used, being built or to be erected on any street, alley or public grounds within the limits of said city, shall obtain license for the use thereof from the city council of said city in the same manner that other licenses are now granted. The terms and condition of said license to be determined by the council, whenever application is made therefor.

SEC. 2. All persons having, or who shall hereafter erect scales on any private property or enclosure within the limits of said city for hire or using for a compensation shall procure a license therefor.

SEC. 3. All persons owning scales for hire shall keep a Register of all commodities weighed by them. Said register showing the true weight and tare thereto belonging, and shall hold the said register subject to the inspection of all persons interested therein.

SEC. 4. All persons owning scales may collect for the use of said scales, and making and delivering the proper certificate of the true weight and tare of any commodity, the sum of "twenty cents," for each and every load or draft of the capacity of said scales.

SEC. 5. All persons violating this ordinance shall forfeit and pay for the use of said city, a sum of not less than ten nor more than fifty dollars for every offence.

NO. XXXVI.

An Ordinance to Restrain Bowling or Ten Pin Alleys.

SEC. 1. Licenses required. Price of.

2. Penalty.

SECTION 1. *Be it ordained by the City Council of the city of Quincy,* That no person shall keep a Bowling or Ten Pin Alley, within the limits of the city, without having first obtained license therefor from the city council; which license shall be granted for one year, on payment to the city clerk of the sum of fifty dollars, and at that rate for a shorter time.

SEC. 2. *Be it further ordained,* That any person who shall violate the provisions of this ordinance, shall forfeit and pay to the city, not more than twenty-five nor less than five dollars for each and every offence, which shall be collected as other penalties are for violation of city ordinances.

NO. XXXVII.

In Ordinance authorizing and requiring the City Clerk to perform the duties of Inspector of Weights and Measures in certain cases.

SEC. 1. City Clerk to inspect.

2. Clerk's fee.

3. Penalty for refusing to permit Clerk to examine.

SECTION 1. *Be it ordained by the City Council of the city of Quincy,* That the city clerk be and is hereby authorized and required on application of any party interested, to repair to the place of business of any person designated in such application, and inspect, seal and deliver certificate of inspection of any and all weights and measures then held for use at such place of business as the applicant shall require.

SEC. 2. The clerk shall receive from the party making such application, the sum of one dollar for each and every certificate of such inspection, as fees for his services.

SEC. 3 Any owner or person using scales or implements of

weights and measures who shall, in any manner refuse to permit or prevent his weights and measures being examined by the city clerk on application, of said clerk within reasonable business hours, shall forfeit and pay for the use of said city the sum of ten dollars for each and every offence; said penalty to be collected in the same manner as other fines and penalties.

NO. XXXVIII.

An Ordinance entitled "An Ordinance for the protection of Gas Lights, and the interests of the Quincy Gas and Coke Company."

- SEC. 1. No person shall turn on. Penalty.
2. No person shall break, &c. Penalty.

SECTION 1. *Be it ordained by the City Council of the city of Quincy,* That no person not authorized by the city council of said city or by the Quincy Gas and Coke Company, shall turn on, open or shut off the Gas, or in any manner deface or interfere with the Gas-pipes or in any way obstruct the light of the lamps in the streets of the city. Every person so offending shall forfeit and pay for the use of said city, not less than five nor more than one hundred dollars for each and every offence.

SEC. 2. Any person who shall deface, break or in any manner injure any lamp, lamp-post or any fixture or attachment to lamps, lamp-posts, burners, gas works, or any other construction of the Quincy Gas and Coke Company of the city of Quincy, or shall drive against or tie any horse or other animal to, or in any manner injure the lamp-posts in said city, shall forfeit and pay for the use of said Gas and Coke Company, not less than five nor more than one hundred dollars for every offence; this penalty to be sued for by the agent of said Gas and Coke Company, before any Magistrate having jurisdiction.

NO. XXIX.

An Ordinance Regulating the issuing of Licenses, &c.

SEC. 1. Application made to Council.

2. Power to revoke.

3. To be closed. Hour of.

4. To complain. Who may.

5. Penalty. Revocation. Notice Clerk to give.

SECTION 1. *Be it ordained by the City Council of the city of Quincy,* That hereafter no license shall be issued by the city clerk, for the keeping of Restaurants. Eating-houses or Saloons, wherein spirits, spirituous liquors, wines, beer, or ale are sold, until the application for the same shall have been presented to and approved by the city council, and an order made for the issuing of the same.

SEC. 2. *Be it further ordained,* That all licenses hereafter issued for the keeping of groceries, restaurants, eating-houses or saloons, wherein spirits, spirituous liquors, wines, beer or ale are sold, may be revoked and rendered null and void, whenever the city council shall so declare, by a majority of the votes of the members of the Board present.

SEC. 3. *Be it further ordained,* That all restaurants, eating-houses, saloons and all places at or wherein spirits, spirituous liquors, wine, beer, or ale are sold, shall be closed at all times at and after eleven o'clock in the evening.

SEC. 4. *Be it further ordained,* That it may be lawful for any citizen, and it shall be the duty of the City Marshal, Police Constable and Night Watch, to make complaint before the Police Magistrate for any violation of this ordinance.

SEC. 5. *Be it further ordained,* That any proprietor or occupant, having charge of any restaurant, eating-house, saloon or place of public resort who shall violate this ordinance, shall forfeit and pay for the use of said city, the sum of twenty dollars for the first offence, and not less than forty dollars for the second and each subsequent offence, to be recovered as other penalties for violation of the city ordinance; and if the person convicted shall be the keeper of a licensed house, the city council shall have power, and it shall be lawful for them to declare

said license forfeited; and upon the forfeiture of any license under this ordinance, it shall be the duty of the city clerk to give to the party whose license has been declared forfeited, a written notice thereof within twenty-four hours thereafter.

NO. XL.

An Ordinance Relating to the sale of Spirituous or Vinous Liquors.

SEC. 1. License required.

2. Application for. Time of.
3. Keep one place only. Proviso.
4. Not assignable. Proviso.
5. Amount to be paid.
6. Bond required.
7. Clerk to keep register.
8. Penalty.
9. Clerk's fee.

SECTION 1. *Be it ordained by the City Council of the city of Quincy,* That no person or co-partnership shall in the city of Quincy, directly or indirectly in person or by another person sell, barter, or deliver, or knowingly permit to be sold, bartered or delivered for or on his or their account, any spirituous or vinous liquors in less quantities than one gallon without a license first obtained according to the provisions of this ordinance as a grocery or drinking saloon.

SEC. 2. Any person wishing to keep a grocery or drinking saloon, shall make application to the city council therefor, and if said application shall be granted by said council, upon payment to the city clerk by said applicant of the sum hereinafter required; he shall issue license to said applicant to keep a grocery or drinking saloon as applied for, not less than six nor more than twelve months from the date of the license at the place designated in said application.

SEC. 3. No person or persons so licensed, shall, under such license, keep a grocery or drinking saloon at any other place than the place so designated; *Provided*, that he or they may remove the carrying on of such business, during the continuance

of such license from the tenement designated therein to any other tenement upon permission from the city council.

SEC. 4. No license granted under this ordinance shall be assignable or transferable, only by permission of the city council and upon such transfer being made, the party to whom transferred shall give bond with good and sufficient security the same as in the granting of a new license.

SEC. 5. For a license for a grocery or drinking saloon there shall be paid by the applicant, before granting the same, the sum of two hundred dollars for twelve months or one hundred dollars for six months, and any such license shall authorize the keeping of said grocery or drinking saloon at one place only.

SEC. 6. The applicant before the license is granted as aforesaid, shall execute a bond payable to the city of Quincy, in the penal sum of five hundred dollars with one or more securities, to be approved by the city clerk conditioned, that the applicant will keep an orderly house, and keep the same closed at all times on the sabbath day, and not permit any unlawful gaming or riotous conduct in his house at any time, and that he will observe and keep all the ordinances of said city then in force, or that may be passed during the continuance of said license, touching and governing groceries or drinking saloons, or any order made in relation thereto by the city council.

SEC. 7. The city clerk shall keep a registry of the licenses granted under this ordinance, to whom granted, the time when granted and the time the same expires, and shall pay all monies arising therefrom into the city treasury.

SEC. 8. Whoever shall violate any of the provisions of this ordinance, shall for the first offence, forfeit and pay for the use of said city not less than ten nor more than fifty dollars, and for the second and each subsequent offence not less than twenty nor more than one hundred dollars, to be recovered as other penalties.

SEC. 9. There shall be paid by the applicant to the clerk as his fee for making out said license and taking bond the sum of one dollar.

NO. XLI.

An Ordinance Relating to the sale of Fermented Liquors.

- SEC. 1. Licenses required.
- 2. Keeper of. Defined.
- 3. Prohibition.
- 4. Not transferable. Proviso.
- 5. Application for.
- 6. Time of. Amount to be paid.
- 7. Clerk to keep register.
- 8. Not to be kept open—when.
- 9. Bond required.
- 10. Penalty.
- 11. License forfeited.
- 12. Clerk's fee.

SECTION 1. *Be it ordained by the City Council of the City of Quincy,* That no person, or copartnership of persons, except those having a grocery license, shall in the city sell or keep for sale to be drank on the premises by the small or glass, any beer, ale or other fermented liquors, or shall suffer the same to be so bartered or sold without license first obtained, according to this ordinance.

SEC. 2. A keeper of a beer house is a person permitted by law, being licensed according to the provisions of this ordinance, to sell fermented liquors in any quantity less than one quart, to be drank at the place of sale.

SEC. 3. No keeper of a beer house shall barter or give away beer his at house, any wine or spirituous liquors under any pretence whatever.

SEC. 4. No license granted under the provisions of this ordinance, shall be assignable or transferable, nor shall a person so licensed keep a beer house at any other place than the one designated by his application. *Provided, however,* that he may remove the carrying on said business during the continuance of said license, to any other tenement in the city, or assign or transfer the said license only upon permission of the city council.

SEC. 5. Any person wishing to keep a beer house in said city shall make application to the city council therefor, and if

said application shall be granted, upon payment by said applicant of the sum hereinafter required, the Clerk shall issue license to said applicant to keep a beer house.

SEC. 6. The rate of license shall be as follows, to-wit: for six months the applicant shall pay the sum of twenty-five dollars, for twelve months the sum of fifty dollars, and no license shall be granted for a less time than six months, nor for a longer time than twelve months at any one time.

SEC. 7. The clerk shall keep a registry of the names of all persons taking out license under the provisions of this ordinance, and the place where the business is to be carried on, and the time when granted, and when the same expires; and shall pay all money received therefrom into the city treasury.

SEC. 8. No person licensed under this ordinance shall under the provisions thereof, under any pretext whatever keep open his house for the sale of his liquors, or for the purpose of permitting the same to be drank therein on the Sabbath day.

SEC. 9. The applicant before the license is granted, as aforesaid, shall execute a bond, payable to the city of Quincy, in the penal sum of two hundred dollars, with one or more securities, to be approved by the City Clerk, conditioned that the applicant will keep an orderly house, and keep the same closed at all times on the Sabbath day, and not permit any unlawful gaming or riotous conduct in his house at any time, and that he will observe and keep all the ordinances of said city then in force, or that may be passed during the continuance of said license touching and governing beer houses, or any order made in relation thereto by the city council.

SEC. 10. Whoever shall violate the provisions of this ordinance, shall forfeit and pay to the city, to be collected as other penalties for violation of city ordinances, the sum of not less than ten nor more than twenty-five dollars for the first offence, and for the second and each subsequent offence, not less than twenty nor more than one hundred dollars.

SEC. 11. If any person having a license under this ordinance shall barter, sell or give away to be drank in his house,

any spirituous liquors under color of his license, upon conviction his license shall be forfeited.

SEC. 12. The Clerk shall receive as a fee for granting a license under this ordinance, and taking bond, the sum of one dollar.

NO. XLII.

An Ordinance Relating to Streets and Capitation or Road Tax, for improving and repairing the same.

- SEC. 1. Tax levied. Proviso,
2. Fire companies. Secretaries of.
3. Duties of clerk. Marshal to collect, &c.

SECTION 1. *Be it ordained by the City Council of the city of Quincy,* That every male inhabitant of said city, not exempt by law from road labor, over the age of twenty-one years, and under the age of fifty years, shall pay annually as a capitation or road tax, the sum of one dollar and fifty cents, for the purpose of improving and repairing the streets throughout the city: *Provided*, that all clergymen shall be exempt from said tax.

SEC. 2. *Be it further ordained*, That the Secretary of each and every fire company be and is hereby required to file with the Clerk of the city on or before the first day of May, in each and every year, a full and complete list of the acting members thereof, which list shall be taken as evidence of membership therein, and all persons so returned shall be exempt from the tax levied by this ordinance.

SEC. 3. *Be it further ordained*, That the City Clerk shall make out and deliver to the City Marshal a list of all persons liable to said tax, so far as known, which tax list, when so delivered to said Marshal, shall be collected by him in the same manner that other taxes are, and said Marshal shall have the same power to collect said tax list, as he has for collecting the general revenue under the ordinances of the city, and shall receive the same per cent for collecting.

NO. XLIII.

An Ordinance Defining the Lamp District, and authorizing the levying of a Special Tax on the Real Estate therein.

SEC. 1. Definition of. Extended how.

2. Tax to be levied.

3. How levied and collected.

SECTION 1. *Be it ordained by the City Council of the city of Quincy,* That all real estate situate within two hundred feet of the public Lamp Posts which may be erected in any street, lane or avenue on the first Monday in April in each year, shall be deemed the Lamp District of the city. The limits of said district may be extended from time to time by the extension of public lamps by a resolution of the City Council.

SEC. 2. *Be it further ordained,* That on all real estate situated within said lamp district, that an annual tax shall be levied sufficient to defray two-thirds of the expense of the gas and of lighting the public lamps therein.

SEC. 3. *Be it further ordained,* That said tax shall be levied and collected at the same time and in the same manner that the general taxes are levied and collected.

NO. XLIV.

An Ordinance Concerning the Assessment of Taxes and the Collection of the Revenue.

- SEC. 1. Wards. Division of.
2. Assessors. Appointment of. Duties of.
3. Clerk to make list for Assessors.
4. Form of.
5. Personal list.
6. Assessor's duties.
7. Powers of.
8. Assessor's return—and form of.
9. Notice to be given by Clerk.
10. Confirmation of Rolls.
11. City Clerk to deliver copy of list to Marshal.
12. Marshal to give bond. Bond to be filed with Clerk. Marshal to collect taxes.
13. Marshal to call upon tax payers. May give notice of place and time of receiving taxes. Marshal's duties.
14. Marshal may seize personal property for tax. Marshal's duties.
15. Marshal to return tax list. To make out delinquent list—to certify and file the same.
16. Marshal to be credited with delinquent list. City Clerk to collect. City Council may require settlements of Marshal and sue on official bond.
17. City Clerk to give bond and file same with Treasurer.
18. Delinquent list to be advertised. How advertised. Clerk's duties. Printer to certify.
19. Taxes may be paid till sale. How sold and what portion.
20. Manner of sale. Duties of Clerk.
21. Clerk to pay over money to Treasurer. To make settlement with City Council. Record of settlements to be made.
22. Redemptions. Clerk's duties.
23. Deeds to be executed. Clerk's duties. Effect of deed.
24. Notice to be given before deed executed.
25. Duplicate certificate may issue.
26. Sales in error—taxes refunded.
27. Duty of officers to list property omitted.
28. Fees of officers, and how paid.
29. Repealing clause.

SECTION 1. *Be it ordained by the City Council of the city of*

Quincy, That the city of Quincy shall be divided into three assessment divisions, for the purpose of assessment for taxes.

The first division shall embrace all property included in the first ward of the old city limits prior to the supplementary act of the Legislature to incorporate the city of Quincy, approved January 17th, 1855, together with all the property north of Main street outside of the old and within the new city limits.

The second division shall embrace all the property included in the second ward of the old city limits prior to the act aforesaid.

The third division shall embrace all the property in the third ward of the old city limits prior to the act aforesaid, together with all the property south of Main street, outside of the old and within the new city limits.

SEC. 2. The City Council shall on the first Monday of February in each year, or so soon thereafter as is practicable, appoint three Assessors, one for each division as aforesaid, in the same manner as other officers are appointed, who shall hold their office for one year and until their successor or successors shall be appointed and qualified, unless sooner removed by the Council.

It shall be the duty of the Assessors of the several divisions, before entering upon the duties of their office, to take and subscribe the following oath or affirmation:

OATH OF ASSESSOR.

I, A. B., do solemnly swear (or affirm, as the case may be,) that I will faithfully, diligently and impartially perform all the duties required of me by the laws of the State and the ordinances of the city of Quincy, as the Assessor of taxable property in the division of said city.

Subscribed and sworn to }
before me this day of }
185 .

A. B.

C. D.

SEC. 3. The City Clerk shall on before the second Monday in February in every year, make out and deliver to the Assessor of each division, a well bound book containing a list and description of all taxable lots and lands lying in their

several divisions, the description of lots and lands to be in numerical order as far as practicable. The names of the owners shall be set opposite to their real estate, when known, and when unknown, a blank shall be left for the entry thereof by the Assessor; and it shall be the duty of the Assessor to fill the blank whenever he can ascertain the name of the owner. If any real estate shall be omitted by the Clerk, or if it should be desirable for the convenience of the owners that subdivision of any lot or other real estate should be made on the roll, in either case it shall be lawful for the Assessor to enter such real estate, and make such sub-divisions.

SEC. 4. The following may be the form of the assessment roll, to wit :

ASSESSOR'S ROLL.

A list of taxable lots, parts of lots, and other real estate, situate and being in the division of the city of Quincy, with the Assessor's valuation thereof, for the year eighteen hundred and _____

Original Town (or as the case may be.)

Owners' name.	Description	Lot	Block	Valuation	Corrected Valuation

SEC. 5. The City Clerk shall prepare and rule columns in the Assessor's rolls for the entry of personal estate subject to taxation. The names of owners of taxable personal property shall be entered by the Assessor in alphabetical order, and said roll may be in the following form :

A list of the taxable personal estate in the division of the city of Quincy, with the names of the owners and the valuation thereof for the year eighteen hundred and _____

Corrected Val'n.									
Total Valuation.									
Other Per'l. Prop.									
Clocks & Watch's.									
Steamboats and Stock in Trade.									
Horses and Mules.									
Sheep and Hogs.									
Cattle.									
Carriages.									
Carts and Wag's.									
Money loan'd and on hand									
Merchandize.									

SEC. 6. The Assessors shall, on being respectively provided with the rolls aforesaid, proceed without delay to ascertain the value of all real and personal property in their respective divisions, by going when practicable, to every owner of such property. They shall be governed in their valuation by the cash value of the property, and if they shall deem it necessary, may require every owner to give in, under oath, either by himself or agent, a list and description of all his real estate with the improvements thereon, together with the value thereof. The Assessor shall in the presence of such person, enter the same in his book, and value each lot and parcel of real estate and each species of personal property separately, placing the description and value opposite the name of the person owning or listing the same; and said Assessors shall have full power, and are hereby authorized to administer any oath relating to the assessment of property required by this ordinance. When Assessors shall have completed their assessments, they shall add up the several columns of their rolls, and carry the several amounts forward, so as to show at the end thereof the total valuation of real and personal estate respectively.

SEC. 7. If the Assessor shall not be able to find the owner of any real or personal estate in his division, or if any person shall refuse to take the oath when required by the Assessor, or shall give in less than the real and true value of his property, or shall refuse or fail to deliver a list of his taxable property when called on for that purpose, the Assessor shall, in every such case assess the value of the property of such person according to the best information he can procure. Personal property shall be assessed to the owner or person in possession

thereof, in the division of the city in which the same shall be found. Any real or personal estate which shall be omitted in the assessment of any year or years, shall when discovered by the Assessor, be noted in the roll and shall be assessed with the arrearages of taxes.

SEC. 8. When the Assessors shall have completed their assessments they shall meet together and revise, equalize and correct the same; and having completed such revision, they shall sign the several rolls and return them to the city council on or before the third Monday of March in every year, unless further time shall be given for this purpose. The form of their return may be as follows :

ASSESSORS' RETURN.

Office of the Board of Assessors, }
Quincy, _____ 185 . }

The undersigned, Assessors of the several divisions of the city of Quincy, do certify and return to the city council, that after they had severally completed their assessment rolls, they met together for the purpose and revised and equalized the same, and that the foregoing is the revised and corrected assessment roll of taxable real and personal estate in the division of said city for the year 185

A. B., Assessor of 1st Division.
C. D., Assessor of 2d Division.
E. F., Assessor of 3d Division.

SEC. 9. On return of said rolls the city council shall fix a day for hearing objections thereto, and the city clerk shall give notice of the time and place of hearing the same, when and where all persons feeling themselves aggrieved by the assessment of their property, may appear at the time specified and make or file their objections. Notice may be of the following form :

Office of the City Clerk, }
Quincy, _____ 185 . }

Public notice is hereby given, that the assessment rolls of taxable real and personal estate in the city of Quincy for the year 18 _____ have been completed and returned to the city council by the Assessors. All persons feeling themselves ag-

grieved by the assessment of their property, are hereby requested to make or file their objections in my office, on or before the day of at which time the same will be heard.

A. W. B., City Clerk.

SEC. 10. When said rolls shall have been revised and corrected by the city council, the same shall be filed and an order of confirmation shall be entered, which order may be in the following form :

CONFIRMATION OF ROLLS.

The assessment rolls for the several divisions of the city of Quincy for the year 18 having been duly made and returned by the Assessors, and revised and corrected by the council, after due notice to persons aggrieved thereby and full hearing of all objections thereto, it is hereby *Ordered*, That the said rolls and the several assessments therein contained, as revised and corrected by the city council, be and the same are hereby confirmed; and that the same be placed on file with the city clerk.

The city council shall thereupon, by ordinance or resolution, levy upon the real and personal estate described in said rolls, such sum or sums of money as may be required for any purpose for which they may be authorized to levy a tax.

SEC. 11. The city clerk shall, within thirty days after the confirmation of said assessment list, make out a fair copy of said list and deliver the same to the City Marshal, with his certificate of authentication, under the corporate seal thereto appended. The city clerk shall take the Marshal's receipt for said assessment list, showing the total amount of taxable property and the total amount of taxes therein, which receipt he shall file in his office.

SEC. 12. The Marshal, before receiving said assessment list, shall give bond with security to the satisfaction of the city council, to the city of Quincy, in a penalty of double the amount of the whole taxes in said list, and conditioned for the faithful discharge of his duties in the collection of the city taxes, and for the payment of the amount thereof by him to be collected into the city treasury, which bond shall be filed with the city clerk. The Marshal shall, upon the receipt of said assessment

list, forthwith proceed to the collection of the taxes therein specified.

SEC. 13. In the collection of taxes, the Marshall shall personally call upon the inhabitants of the city respectively, or at their respective places of business or residence, and make demand personally, or by leaving a written or printed notice of the taxes due from them respectively. He may also give notice by handbills printed in English and German and posted up in the city, of a time and place when and where he will attend with the tax list and receive taxes. Any person may pay taxes on such portion of any real estate as he may have claim to, provided he will furnish the Marshal or Collector with a plain and certain description thereof. Upon the payment of any tax to the Marshal or Collector, he shall first make an entry in his tax list of the name of the person paying, of the total amount paid; and if payment is made on property by different description, or in different parts or parcels from the description thereof made by the Assessor and shown by said tax list, he shall enter a particular description thereof; after which he shall deliver to the person paying, a receipt stating the time of payment, by whom payment is made, a correct and plain description of the property paid on, the total amount paid, and the year or years for which the taxes are paid.

SEC. 14. The Marshal may, after the expiration of thirty days from the time of the delivery of said tax list to him for collection, and before that time in case of probable loss to the city revenue, and after demand aforesaid, or endeavor to make demand of the taxes due the city on property, real or personal, on said tax list, seize any personal property of the owner, or any person having listed or consented to the listing in his name of such property, of sufficient value to satisfy the taxes and costs due thereon, and may from time to time make such further seizure as may be necessary for that purpose. He shall cause any property so seized to be advertised for sale for ten days, by posting a notice thereof in front of the court house in the city, containing a description of the property and stating the time and place of sale thereof, and on the day of sale shall sell the same at public vendue at the place named

n said notice, to the highest bidder, and apply the proceeds to the satisfaction of the taxes and costs for which the same was seized, after deducting five per centum thereon for making such seizure and sale, and shall pay the overplus if any, to the owner thereof on demand. The said tax list shall be sufficient warrant for the Marshal to make such seizure and sale.

SEC. 15. After having made due effort to collect the taxes due on said tax list, and on or before the first day of August in each year, the Marshal shall return said tax list into the office of the city clerk, there to be filed and remain, and shall also at the same time make out and return to the city clerk a delinquent list, truly taken from said tax list, and in the same form of said tax list, of the taxes remaining unpaid thereon, and for which he can find no personal property to satisfy the same and costs. The Marshal shall append to said delinquent list a certificate, as near as may be, in the following form :

I do certify, that the foregoing delinquent list contains a true copy from the tax list of the city of Quincy, for the year 18_____, of the taxes remaining unpaid on said list, and for which I have been unable to find personal property to satisfy the same. _____ Marshal

SEC. 16. Upon the return aforesaid of said original delinquent tax lists, the city council shall, so soon as practicable, examine the same, and shall allow and credit the Marshal all delinquent taxes in said delinquent list contained, which they shall be satisfied could not have been collected by due diligence, and shall make final settlement with the Marshal of the revenue aforesaid, collected by him. Upon the examination and settlement aforesaid, the city clerk shall receive and file the said delinquent tax list, and shall execute to the Marshal receipt therefor, showing the total amount of taxes remaining unpaid on said delinquent list, which receipt the Marshal shall file with the City Treasurer, and the city clerk shall from hence stand charged with the collection of said delinquent taxes. The city council may from time to time, by order direct the Marshal to pay into the city treasury all taxes collected by him, or to make settlement therefor with the city council,

and may, by order, in their discretion; allow to the Marshal further time, not to exceed twenty days, to make collection, return and settlement aforesaid. In case of default of the Marshal in any matter material to the security or collection of the city revenue under this ordinance, the city council shall cause the Marshal's bond aforesaid, to be put in suit for such default.

SEC. 17. The city clerk shall give bond with security to the satisfaction of the city council, to the city of Quincy, in a penalty of double the amount of taxes remaining unpaid on the said delinquent tax list, and conditioned for the faithful discharge of his duties in the collection thereof, and for the payment of the moneys collected thereon into the city treasury, which bond shall be filed with the City Treasurer, and the city clerk shall thereupon be authorized to receive the taxes unpaid on said delinquent tax list.

SEC. 18. The city clerk shall, so soon as practicable after the filing of the delinquent tax list aforesaid in his office, advertise the real estate therein described for sale, to satisfy the taxes and costs due thereon. Said advertisement shall contain a copy, as near as may be, of said delinquent tax list, with a notice thereto appended by the city clerk, in the following form, as near as may be :

All persons are notified that the foregoing is a list of lots and parts of lots within the city of Quincy, upon which the taxes due to said city for the year therein set forth remain unpaid; and that the said lots and parts of lots will be severally and separately sold at public vendue, at the court house in the city of Quincy, commencing on the day of , 18 at the hour of 10 o'clock, A. M., of said day, for the taxes and costs due on them respectively, to such person or persons as shall bid the amount of such taxes and costs for the least quantity of said lots and parts of lots respectively.

City Clerk of the city of Quincy.

Said notice and advertisement shall be published in some newspaper printed in the city of Quincy, for ten days, preceding the day of sale; and when so published, a copy of the same

hall be filed in the clerk's office of the city, with the certificate of the printer or publisher thereto appended, as near as may be in the following form :

I certify that the foregoing tax notice and advertisement was published in the _____, a newspaper printed and published in the city of Quincy, for _____ days preceding the day of sale therein named. _____,

Publisher of said newspaper,

SEC. 19. Any person may pay the taxes and costs remaining unpaid on any lot or part of lot on said delinquent list, to the city clerk, at any time after the return and filing thereof aforesaid in his office, and before the sale of the same; and the clerk shall, upon such payment, make the same entry in said delinquent list, and deliver to the person paying the same, a receipt therefor as is herein before required in case of payment of taxes to the City Marshal. In selling said lots, the city clerk shall offer the whole of each tract or lot for sale for the amount of taxes and costs due thereon; and so much thereof as may be necessary, shall be struck off to the lowest bidder—that is, to the person who shall offer to pay the amount due as aforesaid for the least quantity of ground. When a portion of a lot shall have been struck off on any such bid, it shall be taken off the east side of said lot, extending the whole length of said side, provided said lots have a northerly or southerly front; and from the north side, extending the whole length as aforesaid, should said lots have an easterly or westerly front.

SEC. 20. At the time of sale mentioned in the notice aforesaid, the city clerk, shall proceed and sell, at the place and in the manner named in the said notice, the several lots and parts of lots in said advertisement described, upon which the taxes and costs, or any portion thereof shall remain unpaid for the satisfaction of such taxes and costs; and if no bid shall be made for any lot or part of lot offered, the amount of taxes and costs thereon, the same shall be struck off to the city of Quincy for the taxes and costs unpaid thereon; and the city shall, to all intents and purposes, be the purchaser thereof. The city clerk shall receive all moneys at said sale, and shall execute to the

several purchasers certificates of purchase, stating the name of the purchaser, the date of the purchase, the year or years for which the taxes accrued, the amount of taxes and costs on the tract purchased, and a plain description of the property purchased. The clerk shall keep a correct list of such sales, showing in each case the name of the owner, if known, the date of the sale, the year or years for which the taxes accrued, a plain description of the lot or part of lot sold, the name of the purchaser and the amount paid, and which shall be kept in the tax sale book of the city as a public record.

SEC. 21. The city clerk shall pay over all moneys by him received and collected on said delinquent tax list, to the city Treasurer, and take his receipt therefor, and so soon as practicable after said sale, shall make final settlement on said delinquent tax list with the city council; and whenever final settlement is made, either with the City Marshal or city clerk, by the city council, a record thereof shall be made.

SEC. 22. The same rights and privileges of redemption from sales under this ordinance shall exist, as is provided by the eighty-ninth chapter of the revised statutes of Illinois, of 1845; and in cases of redemption from such sales, the redemption money shall be paid to the city clerk, and the city clerk shall thereupon execute to the person redeeming a certificate, stating the date of the sale, the year or years for the taxes of which the sale was made, the name of the person to whom sold, the amount for which the same was sold, a plain description of the property sold and redeemed, the name of the person redeeming, and the amount paid thereon, and shall make an entry opposite the property redeemed in the sale book of the date of the redemption, the name of the person redeeming and the amount paid thereon, which amount he shall pay to the purchaser or his assignee on demand and presentation of the certificate of purchase, and shall note in such certificate of purchase the redemption aforesaid; and the person receiving such redemption money shall receipt the same in said sale book or other book kept for that purpose. The city clerk shall file in his office all written evidence of right to redeem, and in all things such redemption shall have the same force and effect as

is provided in case of redemption from sales for State and county taxes, by the chapter of the revised statutes aforesaid, and certificates of purchase issued under this ordinance shall be assignable, as is provided by said chapter, and all such assignments shall have the same force and effect.

SEC. 23. After the expiration of two years from the day of sale of any lot or part of lot, under this ordinance, the purchaser thereof, his heirs or assigns, shall be entitled to a deed therefor, provided the same shall not have been previously redeemed, and provided such purchaser, his heirs, or assigns, shall have complied with the provisions of the next section of this ordinance; and the city clerk shall, in such case, upon the surrender of the certificate of purchase thereof, execute to such purchaser, his heirs or assigns, a deed for such lot or part of lot. The deed to be executed as aforesaid, shall, for all purposes, vest in the grantee and his heirs a perfect title to the premises in such deed described; and all deeds executed by the city clerk under this ordinance, shall, for all purposes and to all intents whatsoever, have the same operation, force and effect as is provided by the said eighty-ninth chapter of the revised statutes of Illinois, of 1845, in case of deeds executed by sheriffs or collectors, on sales made for taxes due for State and county purposes, under the State revenue laws aforesaid.

SEC. 24. The purchaser of any lot or part of lot under this ordinance, his heirs or assigns, shall, at least three months before the expiration of two years from the time of sale, cause to be served on every person in possession of such lot a written notice of such purchase; in which notice he shall state when such lot or part of lot was purchased, a description of such lot, and when the time of redemption will expire. In like manner he shall serve on the person or persons in whose name or names such lot or part of lot is taxed a similar written notice, if such person or persons shall reside in the county of Adams; and in the event that the person or persons in whose name or names such lot or part of lot is taxed, do not reside in the county of Adams, he shall publish such notice in some newspa-

per printed in said county; which notice shall be inserted three times, the last time being not less than three months before the expiration of two years from the time of sale of such lot or part of lot. The purchaser, his heirs or assigns, shall, before a deed is executed to him, by himself or agent make an affidavit of his having complied with this section, stating particularly the facts relied on as such compliance; which affidavit shall be delivered to the city clerk and by him filed in his office and entered on the records thereof, and preserved among the files of his office. In case any person shall be compelled under this section, to publish a notice in a newspaper, then before any person who may have a right to redeem such lot or part of lot from such tax sale, shall be permitted to redeem, he shall pay to the city clerk the printer's fee for publishing such notice, and costs of being sworn to such affidavit and of filing the same as aforesaid.

SEC. 25. In case any purchaser, his heirs or assigns, shall have lost, or for any cause is unable to produce his certificate aforesaid, the city clerk shall execute a duplicate certificate thereto, upon such person filing with him an affidavit of such loss or inability to produce the same, and that the same is his rightful property.

SEC. 26. If it shall appear to the city clerk that any taxes for which any lot or part of lot shall be sold, had been paid previously to the sale thereof for taxes, he shall present the case to the city council at their next meeting, and if it shall appear to the city council that the same was so paid, an order shall be drawn on the City Treasury, in favor of the purchaser, his heirs or assigns for the amount paid therefor, and such sale shall be cancelled. And if it shall appear that any moneys have been paid on such lot or part of lot, either to the City Marshal or City Clerk, and have not been properly credited on the tax list and accounted for, the officer to whom the same was paid shall refund the amount thereof and costs to the city.

SEC. 27. It shall be the duty of the City Marshal, and also of the city clerk, to keep a list of all real estate within the city, which in the collection of the city taxes they and each of them

may discover to be omitted in the assessment list, and the same list to file in the city clerk's office for the use of the Assessor of the next year's revenue.

SEC. 28. There shall be allowed for collecting the city revenue from taxes, the following fees:

To the city Assessors for making annual assessments, such sum as may be ordered at the time of making said appointments.

To the printer for publishing the delinquent tax list notice, on each lot and part of lot 10 cents.

To the City Marshal on all moneys collected by him on the general tax list and all special tax lists and paid over, two per centum.

For making and returning to the city clerk the delinquent tax list on each lot or part of lot five cents.

To the city clerk for advertising and copying the delinquent tax list, on each lot or part of lot five cents.

For making sale on each lot or part of lot, and entering the same in the sale book fifteen cents.

For each redemption certificate, twenty-five cents.

For filing and recording affidavit of purchaser at tax sale, preliminary to obtaining deed, twenty-five cents.

For duplicate certificate of purchase in case of loss, twenty-five cents.

For each deed on tax sale, seventy-five cents.

The last four items shall be paid by the person demanding the services, and all other expenses arising out of the city revenue from taxes, shall be laid before the city council by the person interested to be acted upon by them, and allowed or disallowed, as shall to them appear equitable.

There shall also be allowed to the city clerk, on amount collected by him on delinquent list each year, before the sale each year three per centum; and also for making copy for assessors one cent for each lot or part of lot or tract of land; and also for making copy for collector, one cent for each lot or part of lot or tract of land and carrying out the tax thereon.

SEC. 29. All ordinances coming within the purview of this ordinance, and in any manner repugnant thereto, are hereby re-

pealed. But all rights and liabilities accrued under any ordinance hereby repealed, are hereby saved and declared valid and binding and may be enforced.

NO. XLV.

An Ordinance Relating to the Public Landing.

- SEC. 1. Public Landing—extent thereof.
2. Landing within certain limits to be exclusively for use of Steamboats. Penalty for breach of this section.
 3. Harbor Master to assign places to boats. Penalty for not complying with his orders. Exception.
 4. Goods, &c., landed on a certain part of the Landing, to be removed. Left over twenty-four hours, to be taken charge of by the Harbor Master.
 5. Time of leaving rafts in the water limited. Penalty.
 6. Goods, &c., to be permitted to remain, on payment of wharfage.
 7. Harbor Master to have custody of boats, &c., and a lien for charges. Charges not paid within twenty-four hours, boats, &c., to be sold. How sold.
 8. Proceeds of such sale—how disposed of.
 9. No person appearing to take charge of boats, &c., left at Public Landing. Harbor Master to take charge—lien created for fees and charges.
 10. Owner appearing, property to be restored on payment of charges; not appearing, property to be sold—and how sold. Special provision and exception.
 11. Proceeds of sale—how disposed of.
 12. City entitled to a per cent. on such proceeds paid out.
 13. Rates of wharfage.
 14. Term landing defined.
 15. Attachment may issue.
 16. Harbor Master to keep an account of money received, and report monthly to City Council, &c.
 17. Penalty for defacing or injuring Landing, or appurtenances.
 18. Suits to be brought for fines, if necessary. Duty of Harbor Master in such cases.
 19. Ferry boats excepted from the operation of this Ordinance, on condition.
 20. Wharfage on other crafts. City Council to fix amount. Harbor Master to see that this Ordinance is enforced. May take and retain possession of boats. Penalties.

SECTION 1. *Be it ordained by the City Council of the city of Quincy,* That the Public Landing of said city shall comprise all that ground lying south of the centre line of block six, in the original survey of the town (now city) of Quincy, as extended west to the Mississippi river, and north of a line extended from Front st. to said river, at a point fifty-six feet south of York street, and west of Front street, excepting River Fraction of lot six in block sixteen, and River Fraction of lot four in block twenty-five in said original survey; also, all that ground lying south of the northwest corner of lot four in block fifty-three, and north of the southwest corner of block fifty-four in Wood & Holmes' addition to said city, and west of the west line of the aforesaid blocks fifty-three and fifty-four. *Provided,* that all that part of said city lying north of said Public Landing, and owned by the Northern Cross Rail Road Company, bordering upon the Mississippi River, or the Bay adjacent thereto, is hereby declared to be a Public Landing, and subject to all the laws and ordinances of said city in relation to the collection of wharfage thereat.

SEC. 2. *Be it further ordained,* That all that portion of the Public Landing lying south of the centre line of block six aforesaid, and north of the north line of the River fraction of lot six in block sixteen aforesaid, shall be specially appropriated to the landing and use of steamboats, and no other boat, craft or raft shall land or remain at said part of the public landing; and all persons landing or having charge of any such boat, raft or other craft at said portion of the public landing, shall immediately, on notice so to do by the Harbor Master, remove the same, and on failure so to do, shall forfeit and pay to the city not less than five nor more than one hundred dollars, to be collected by the Harbor Master, and the Harbor Master shall cause the same to be removed at the expense of the owner, or person in charge or possession thereof.

SEC. 3. *Be it further ordained,* That the Harbor Master, whenever it may be necessary, shall assign places for all boats and rafts, giving the preference to steamboats, in the order of their arrival, and every person in charge thereof, shall cause the same to be removed to the places assigned; and every per-

son failing so to do, on being notified by the Harbor Master, shall forfeit and pay, for the use of said city, the sum of not less than five nor more than one hundred dollars: *Provided*, that no boat or raft shall be compelled to leave the place occupied by it, or assigned to the same, to give place to a steam-boat, while such boat or raft is actually employed in discharging or receiving a cargo.

SEC. 4. *Be it further ordained*, That all goods, wares, merchandise, wood, lumber, or other things, which may be landed south of the centre line of block six aforesaid, and north of the north line of the River fraction of lot six in block sixteen aforesaid, shall be removed as soon as practicable, and if suffered to remain over twenty-four hours, the Harbor Master shall cause the same to be removed to some suitable place at the charge of the owner. All such as may be landed above or below said points may remain so long as the said Harbor Master may permit, not exceeding ten days; and if suffered to remain beyond that time, he shall cause the same to be removed to some suitable place at the charge of the owner.

SEC. 5. *Be it further ordained*, That no raft shall remain in the water at any part of the Public Landing for a longer time than ten days, unless by special permission of the Harbor Master, a longer time is granted for the purpose only of having the same drawn out; and every person having charge thereof, who shall neglect to draw out said raft within said time so limited and specially granted, shall forfeit and pay, for the use said city, the sum of fifteen dollars.

SEC. 6. *Be it further ordained*, That nothing herein contained shall be so construed as to prevent the Harbor Master from permitting any goods, wares, merchandise, lumber, or other things to remain on the landing a longer time than is herein-before specified, *Provided*, the owner thereof shall pay to the said Harbor Master, for the use of the city, a certain amount of wharfage to be agreed upon between the owner and the Harbor Master.

SEC. 7. *Be it further ordained*, That all boats, rafts, and other property before mentioned, shall be retained in the custody of the Harbor Master, until all fines, forfeitures and charges,

mentioned in the preceding sections, and all charges for wharfage, shall be paid by the owner or person having charge thereof; and if said fines, forfeitures and charges are not paid within twenty-four hours, the Harbor Master shall sell every such boat, raft or other property at public auction to the highest bidder for cash, first having given at least fourteen days previous notice of the time and place of said sale, in such newspaper as may be selected by the City Council, for the time being, for publishing their proceedings.

SEC. 8. *Be it further ordained,* That the proceeds of every such sale, after deducting such fines, forfeitures, charges and expenses of sale, shall be paid by the Harbor Master into the city treasury; and such proceeds after the deduction herein-after mentioned, shall be paid to any person authorized to receive the same by the Treasurer, on the presentment of an order from the Mayor, countersigned by the City Clerk; *Provided* the same shall be claimed within twelve months after such sale.

SEC. 9. *Be it further ordained,* That if no master, owner, or agent, shall appear to take charge of any boat or raft which may be found lying at the Public Landing, or any other property landed therefrom, the Harbor Master shall take charge of the same, and take all necessary measures to secure the same, and all proper charges and expenses incurred by him shall create a lien thereon.

SEC. 10. *Be it further ordained,* That if the master, owner, or agent, shall appear within sixty days, and pay to the Harbor Master all fees, costs and charges, for which any such boat, raft, or other property, may be liable, the same shall be restored to such master, owner, or agent; but if no such master, owner or agent, appears within said sixty days, or appearing, shall fail to pay as aforesaid, the Harbor Master shall sell such boat, raft or other property for cash, at public auction, to the highest bidder, first having given thirty days previous notice of the time and place of sale, by posting up the same in three public places in said city, and also by a publication thereof in the newspaper aforesaid: *Provided, however,* that if such boat, raft, or other property, shall, in the opinion of the Harbor Mas-

ter be of less value than ten dollars, or of a perishable nature, then the Harbor Master shall not be required to wait sixty days, but proceed to sell such boat, raft, or other property as herein directed, first having given thirty days notice by posting as aforesaid.

SEC. 11. *Be it further ordained,* That the Harbor Master, after deducting all fees, cost, and charges for which the boat, raft or other property was liable, shall pay the proceeds into the city treasury, and the balance, after the deduction herein-after mentioned, shall be refunded to any person authorized to receive the same, as in the cases of sale herein provided for.

SEC. 12. *Be it further ordained,* That out of the proceeds of all sales made under this ordinance, the city shall retain two per cent. to be deducted when the same is paid over to the person or persons entitled thereto.

SEC. 13. *Be it further ordained,* That the following rates of wharfage fees shall be levied by the city and collected by the Harbor Master, to wit:

1st. From the master of every steamboat which may regularly or temporarily ply between New Orleans and St. Louis, Quincy, Warsaw or Kekouk, five dollars for every landing.

2nd. From the master of every steamboat which may regularly or temporally ply between St. Louis, Quincy, Warsaw or Keokuk, five dollars for each trip.

3rd. From the master of every steamboat which may regularly or temporarily ply between St. Louis and Quincy, five dollars for each trip.

4th. From the master of every other steamboat not mentioned in this section, two dollars for each landing.

SEC. 14. *Be it further ordained,* That the term landing, as used in the preceding sections, shall be construed to mean and apply to all cases where a boat shall stop at and use said wharf for any purpose whatever.

SEC. 15. *Be it further ordained,* That every steamboat landing at said wharf as aforesaid, shall be liable for the wharfage on the same, as well as her owner or owners, or master or other person having charge of said boat for the time being, and suit may be brought by said city to recover said wharfage.

against the owner or owners of such boat, or her master, or other person having her in charge for the time being, and prosecuted and conducted as is provided by ordinance for the prosecution of other suits by said city for the violations of other city ordinances; or said city may have an attachment to recover said wharfage, to be issued by any Police Magistrate of said city, either against the owner or owners of such boat by their proper names, or by the name and style of their copartnership, or against such boat by her name or description only, authorizing the seizure and detention of such boat, with her engines and machinery, and all other property, furniture, or goods belonging to or appertaining to such boat, by the city Marshal or other officer, to whom said writ may be directed; said writ to be issued upon the Harbor Master or any other officer making affidavit of the justness of the demand sued for, and thenceforward to be prosecuted to final judgment, as in cases of attachment before justices of the peace, under chapter VIII of Revised Statutes of the State of Illinois of 1845.

SEC. 16. *Be it further ordained*, That the Harbor Master shall enter in a book kept for the purpose, all moneys received by virtue of this ordinance, the names of persons or boats from whom the same is received, the specific amount received from each, and for what so received, and shall account to the city council, at their stated monthly meetings, for the same. The amount accruing to the city shall immediately be paid into the treasury by the Harbor Master, and the Treasurer's receipt filed with the City Clerk.

SEC. 17. *Be it further ordained*, That if any person shall deface, or in any way injure any post ring, or other appurtenance to the public landing, or do any act tending in any wise to the injury of the public landing, he shall forfeit and pay, for the use of said city, the sum of five dollars for every such offence, and pay all the expenses of repairing or replacing the thing injured.

SEC. 18. *Be it further ordained*, That whenever the Harbor Master shall, by any means, be unable to collect any fines, forfeiture, penalty, cost, charge or expense accruing under this

ordinance, on demand from the boat, raft, or other property herein specified, he shall and cause a suit to be instituted forthwith against any person liable therefor; and nothing herein contained shall prevent the Harbor Master from giving testimony in any such action, whenever the same may be necessary.

SEC. 19. *Be it further ordained,* That every ferry boat plying between said city and the opposite side of the Mississippi river, by virtue of a license from the city council, shall be exempt from the payment of the usual rates of wharfage; *Provided*, that every such boat shall occupy but one place of landing.

SEC. 20. *Be it further ordained,* That there shall be levied and collected from the master, owner, or person in charge of all boats, other than steamboats, crafts and rafts, such wharfage fees as the city council shall from time to time order.—The city Harbor Master shall see that the provisions of this ordinance are fully enforced, and may take possession of and retain any boat, raft or craft for any fees, fines or penalties due the city from the same, or master, or persons having charge of the same, accrued under this ordinance. And for any violation of the provisions hereof, the person committing such violation shall forfeit and pay to the city of Quincy five dollars, where not otherwise provided by this ordinance.

NO. XLVI.

An Ordinance Relating to the Quarantine and Sanitary Regulations of the City of Quincy.

- SEC. 1. Who not to be brought into the city without permit.
2. Dead bodies not to be brought into the city.
3. Paupers not to be brought in.
4. Penalty. Complaint—whom by.
5. Attachment may issue.
6. Who may arrest. Penalty for refusing to assist.

SECTION 1. *Be it ordained by the City Council of the city of Quincy,* That hereafter no person shall be brought into said city from any point by any land conveyance, or landed, or taken from any steamboat, or any water craft of any kind, within the city limits, or within the distance of one Statute mile thereof, then having the Small Pox, Cholera, Ship Fever, or any evident symptoms of said diseases, or any other infectious or contagious disease, without the special permit of the Mayor, Health Officer, City Physician or Harbor Master of said city.

SEC. 2. *Be it further ordained,* That no land conveyance shall bring into the city, nor any steamboat, canal boat, raft, or other water craft, shall, at any time hereafter, land, put off, or in any manner leave or cause to be left, on the wharf or river bank, within the city limits, or within one Statute mile thereof, any deceased person, or the remains of any dead person or animal, without the special permit of the Mayor, Health Officer, City Physician or Harbor Master of said city.

SEC. 3. *Be it further ordained,* That no land conveyance of any kind, or steamboat, canal boat, barge, raft, or any other water craft, shall hereafter land or leave within the limits of the city, or at or on any wharf or river bank, or any float connected therewith, within the city limits, or within one Statute mile of said city limits, any sick, disabled or infirm pauper or person, without means of sustenance or support for at least ten days, without having first obtained the especial permit of the Mayor, Overseer of the Poor, City Physician or Harbor Master of said city.

SEC. 4. *Be it further ordained,* That any person who shall violate this ordinance, or any part thereof, shall forfeit and pay for the use of said city, not less than twenty-five nor more than one hundred dollars for each and every offence; said fine to be collected on the complaint of the Mayor, Health Officer, City Physician, Harbor Master, or any Police officer, in the same manner as other fines and forfeitures are now collected before any magistrate having jurisdiction.

SEC. 5. *Be it further ordained,* That every steamboat, canal boat, barge, or water craft, violating this ordinance, or any part thereof, shall be held liable for the penalty thereof, as well as the master, owner or owners thereof, or other persons having charge of such boat, barge or water craft, and the Mayor, Health Officer, City Physician, Harbor Master or Police Officer, shall have for the use of said city, an attachment against said steam boat, canal boat, barge, raft, or water craft, in the manner prescribed in an ordinance entitled "An Ordinance relating to the Public Landing."

SEC. 6. *Be it further ordained,* That the Mayor, Health Officer, Harbor Master, or any Police officer, shall have power to, and are hereby authorized and empowered, to arrest any and all persons found violating any of the provisions of this ordinance, either with or without warrant, and hold them to bail under such penalty as shall be deemed proper at the time, by the officer making said arrest; and for the purpose of making such arrest, they are hereby fully empowered to call to their aid any citizen of said city, and any person so called upon, who shall refuse to render such assistance, shall be subject to a fine of not less than five nor more than fifty dollars for such refusal.

NO. XLVII.

An Ordinance regulating Omnibuses, Hackney Carriages, Wagons and Drays.

- SEC. 1. Omnibuses and Hackney carriages—what declared to be.
2. Shall be numbered, registered, &c., and how—transfer, how made.
3. Persons wishing to keep such carriages, to apply to Clerk for license—license, how given—penalty for using without license.
4. Annual tax for omnibuses.
5. Annual tax for hackney carriages.
6. Wagons and drays, not to be used for hire unless numbered and registered—tax to be paid and certificate given—amount of tax for each—penalty.
7. Penalty for not entering and registering.
8. New certificate to be taken out annually.
9. Penalty for neglect to do so.
10. Penalties to create a lien on wagons and drays.
11. Penalty for refusing, whilst unemployed, to hanl a load.
12. Rates of fare for hauling—penalty for demanding and receiv-
ing a higher rate.
13. Price to be charged.
14. Baggage to be carried.
15. Certain exceptions to this ordinance.

SECTION 1. *Be it ordained by the City Council of the city of Quincy,* That every four-wheeled carriage, drawn by two or more horses, having a door opening in the end thereof, which shall be kept or used within said city, for the purpose of carrying persons to and fro, through the city, (mail stages only excepted,) or from said city to places without the same, or from places without the city to any place within the same, for hire or payment received by the owner, agent, or driver thereof, is hereby declared and taken to be an omnibus, and any other carriage used for the same purpose, is declared to be a hackney carriage, within the meaning of this ordinance.

SEC. 2. *Be it further ordained,* That no owner or owners of any four-wheeled carriage kept or used for hire as an omnibus or hackney carriage within the limits of said city, shall himself employ or use, or suffer to be employed or used, any

carriage kept or used for the purposes aforesaid, within the limits of said city, unless such carriage be first entered, numbered and licensed in the following manner, to wit: each one shall be numbered in some conspicuous part of the body thereof, with plain and conspicuous figures in oil paint, or of metal, not less than two inches in length, to begin with number *One*, and so on, progressively to the extent of the number of such carriages; and the same and all assignments and transfers shall be entered and registered, together with the name and place of abode of the owner or owners thereof, by the City Clerk, in a book kept for that purpose, and such license shall not be assignable or transferable without the consent of the Mayor of said city.

SEC. 3. *Be it further ordained,* That any person wishing to keep any four-wheeled carriage, as an omnibus or hackney carriage, within the limits of said city, as aforesaid, shall make application to the Clerk for a license to keep the same; and the Clerk on the payment of the fee as hereinafter specified, shall issue such license. Any person keeping or using, or who shall permit to be kept and used, any four-wheeled carriage for the purpose aforesaid, without first obtaining a license therefor, and causing such carriage to be numbered and registered as hereinbefore directed, shall forfeit and pay, for the use of said city, the sum of ten dollars for each and every offence.

SEC. 4. *Be it further ordained,* That the amount to be paid to the City Clerk, for the use of said city, for a license to keep a four-wheeled carriage as an omnibus, shall be ten dollars per annum, or six dollars for six months.

SEC. 5. *Be it further ordained,* That the amount to be paid to the City Clerk, for the use of said city, for a license to keep a four-wheeled carriage as a hackney carriage, shall be five dollars per annum, or three dollars for six months.

SEC. 6. *Be it further ordained,* That no owner or owners of wagons or drays, employed in the transportation of articles of any kind, within the limits of said city, for hire or pay, shall himself employ, or suffer to be employed, any such wagon or dray, for the purpose aforesaid, within the limits of said

city, unless such wagon or dray be first numbered and entered in the following manner, to wit: they shall be numbered with plain and conspicuous figures in oil paint or of metal, not less than three inches in length, on the outside of the near shaft or side, to begin with number *One*, and so on progressively to the extent of the number of such carriages, and the same shall be entered and registered, together with the name and place of abode of such owner or owners, by the City Clerk, in a book kept for that purpose. Any person becoming the owner or purchaser of any such carriage, and upon which a tax has been paid, as hereinafter provided, shall, within three days thereafter, have the same entered and registered in his own name, in the manner aforesaid; and upon failure thereof, every owner as aforesaid shall forfeit and pay, for the use of said city, the sum of ten dollars; and the City Clerk shall thereupon give a certificate of such entry, and shall receive, for the use of said city, from the owner or owners of wagons and drays aforesaid, the sums following, to wit: for each and every wagon, five dollars per year, or three dollars for six months, or two dollars for three months; and for each and every dray, three dollars per year, or two dollars for six months; and the same course and proceedings shall be had and adopted in all future cases of persons setting up or following the said business or employment; *Provided*, that in cases of transfers of wagons or drays, the purchaser shall not be required to pay any additional tax thereon.

SEC. 7. *Be it further ordained*, That every owner or owners of wagons or drays, who shall fail to enter and register his wagons or drays as herein required, shall forfeit and pay, for the use of said city, for each and every day the same shall remain unentered and unregistered, the sum of two dollars.

SEC. 8. *Be it further ordained*, That the owner or owners of any wagon or dray shall, annually, appear at the office of the City Clerk, and take out new certificates, for which certificates they shall respectively pay the City Clerk the sum before mentioned.

SEC. 9. *Be it further ordained*, That the owner or owners of wagons or drays, who shall fail to take out new certificates, as herein required, shall forfeit and pay, for the use of said city,

for each and every day which he shall be in default, the sum of two dollars.

SEC. 10. *Be it further ordained,* That the penalties hereby imposed shall be and continue liens on the wagons and drays, in respect whereof they may have been incurred, till the same are paid and satisfied.

SEC. 11. *Be it further ordained,* That no driver of a regularly licensed wagon or dray, shall, whilst unemployed, refuse to haul a load or loads, for any person or persons, who shall tender him the regular fee, under a penalty of five dollars.

SEC. 12. *Be it further ordained,* That the fare of wagons and drays for hauling, shall not exceed the following rates, to-wit: for a wagon or dray load, two squares or less, twenty cents; over two squares and not exceeding half a mile, thirty-five cents; over half a mile, fifty cents; and any person who shall demand and receive a higher rate than those herein specified, shall forfeit and pay, for the use of said city, the sum of five dollars for each and every offence.

SEC. 13. *Be it further ordained,* That the prices to be charged by the owner or owners, or driver of any omnibus or hackney carriage for the conveyance of passengers within said city, shall be as follows:

For conveying a passenger to any point within said city, twenty-five cents.

For conveying children between five and fourteen years of age, half the above prices may be charged, but for children under five years no charge shall be made.

SEC. 14. *Be it further ordained,* That every passenger shall be allowed to have conveyed upon such vehicle without charge, his ordinary traveling baggage, not exceeding in any case, one trunk and twenty-five pounds of other baggage. For every additional package, where the whole weight of baggage is over one hundred pounds, the owner or driver shall be permitted to charge ten cents.

SEC. 15. *Be it further ordained,* That this ordinance shall not apply to persons residing out of said city and coming to market, who shall transport, for hire or pay, any article from said city to any place without the same.

NO. XLVIII.

An Ordinance Regulating the Erection of Awnings or Sheds and Cross-signs over the Sidewalks throughout the city.

- SEC. 1. Height of, &c.
2. Signs, height of.
3. Awnings and signs to conform.
4. Nuisance in certain cases.
5. Street Commissioner. Duty and power of.
6. Penalty.

SECTION 1. *Be it ordained by the City Council of the city of Quincy,* That all awnings or sheds erected over sidewalks throughout the city, shall be of one uniform pattern, and in all their lateral parts at least thirteen and one-half feet above the outer edge of the sidewalks. The posts supporting the same to be turned and painted white, and not to be used in any manner for the exhibition or sale of any kind of goods, and no devices or signs shall be placed or painted upon any of said posts or awnings, nor any person be permitted to post notices of any kind upon them.

SEC. 2. *Be it further ordained,* That no person shall be permitted to suspend signs of any kind across any side walk within said city, unless the same shall be at least twelve feet above said sidewalks.

SEC. 3. *Be it further ordained,* That the Street Commissioner be and he is hereby authorized to permit the erection of awnings or sheds and cross signs in conformity to this ordinance.

SEC. 4. *Be it further ordained,* That all awnings or sheds and all cross signs over sidewalks throughout the city now erected or which may hereafter be erected, not in conformity to this ordinance, are hereby declared to be nuisances.

SEC. 5. *Be it further ordained,* That it shall be the especial duty of the Street Commissioner to see that all awnings or sheds, and all cross signs are made in conformity to this ordinance, and said Street Commissioner is hereby fully authorized and empowered (*after giving three days notice to parties violating this ordinance*) to remove all such awnings or sheds, and cross

signs peaceably, if permitted, or forcibly if resisted, and for this purpose he shall have full power and authority to call to his aid any or all the Police of said city.

SEC. 6. *Be it further ordained,* That any person who shall violate any of the provisions of this ordinance, shall forfeit and pay for the use of said city not less than five nor more than one hundred dollars, as also all expense incurred in removing such awning or shed or cross sign.

NO. XLIX.

An Ordinance for the Prevention of Fires.

Sec. 1. Fire limits defined.

2. Buildings to be erected. Exceptions.
3. Outside and party walls.
4. How constructed. Heights of.
5. Joists, &c. How separated.
6. Space between walls.
7. End walls. Heights of.
8. Sheds and privies. Ash houses.
9. Repairs. How made. Permit for.
10. Penalty.
11. Power to remove.

SECTION 1. *Be it ordained by the City Council of the city of Quincy,* That all that part of said city embraced within the following limits, shall be hereafter known as the Fire Limits, to-wit: From Seventh street to the river, and between Vermont and Jersey streets.

SEC. 2. *Be it further ordained,* That no building shall be hereafter erected within the Fire Limits (except as hereinafter excepted,) unless the same shall be constructed in conformity with the following provisions:

SEC. 3. *Be it further ordained,* That all outside and party walls shall be made of stone, brick or other fire proof material.

SEC. 4. *Be it further ordained,* That all outside and party walls, exceeding twenty-four feet in height, from the top of the sidewalk to the under side of the roof, joist or rafters, shall not

be less than twelve inches in thickness if of brick, and not less than sixteen inches in thickness if of stone; if exceeding said height of twenty-four feet, and if of three stories high, then not less than sixteen inches for the first story, and not less than twelve inches for the second story if of brick, and not less than twenty inches in thickness for the first story and not less than sixteen inches for the second story if of stone.

SEC. 5. *Be it further ordained,* That all joists, beams and other timbers in outside and party walls, shall be separated at least four inches from each other, with stone or brick laid in mortar, and all wooden lintels or plate pieces in the front or rear walls, shall recede from the outside of the wall at least four inches.

SEC. 6. *Be it further ordained,* That there shall not be more than thirty feet space between the party or outside walls of any building, unless such building shall be supported by iron or other columns or supports, of fire proof material.

SEC. 7. *Be it further ordained,* That all end and party walls where the buildings connect shall extend above the sheeting of the roof at least seven inches or three courses of brick, and in no case shall the planking or sheeting of the roof extend across any party or end wall.

SEC. 8. Sheds not exceeding twelve feet in height at the peak or highest part thereof, and privies not exceeding ten feet square and twelve feet in height at the peak, may likewise be constructed of wood, and shall not be subject to the provisions of this ordinance. But all depositaries for ashes, within or without the fire limits, shall be built of brick or other fire proof material without wood in any part thereof.

SEC. 9. No wooden building or part of building within the fire limits shall be raised, repaired, enlarged or removed to any other place within the same; nor shall any such building be removed into the fire limits. Nor shall any wooden building within said limits, which may hereafter be damaged by fire be repaired or rebuilt without a special permit from the city council.

SEC. 10. *Be it further ordained,* That any owner, builder or other persons who shall own, build or aid in the erection of

any building or part of building within the fire limits, contrary to or in any other manner than authorized by the provisions of this ordinance, or who shall own, remove or assist in removing any such building from without said limits into the same, or own, repair, or assist in repairing any damaged wooden building contrary in either case to any provision of this ordinance, shall be subject to a fine of not less than twenty-five dollars and not exceeding one hundred dollars, in the discretion of the Police Court, for the first offence, and to a like fine for every forty-eight hours such person shall fail to comply with the provisions of this ordinance, or continue in the violation of this ordinance. If any person shall violate any other provision of this ordinance he shall be subject to a like fine.

SEC. 11. Any wooden building which may be erected, enlarged, removed or repaired, or in process of erection, enlargement, removal or repair, contrary to this ordinance, shall be deemed a nuisance; and upon information, it shall be the duty of the Mayor, after due notice to the owner or builder thereof to abate the same, by an order in writing to require the Police Constable to raze such building to the ground. The expenses of such removal shall be reported by the Police Constable to the city council for assessment, and may be collected of the owner of such building by suit.

NO. L.

An Ordinance entitled an Ordinance Regulating the width of Sidewalks, and the Curbstones thereof.

SEC. 1. Width of. How constructed.

2. Curbstones. Size of, &c.

3. Penalty.

SECTION 1. *Be it ordained by the City Council of the city of Quincy, That all sidewalks throughout the city shall be of the width of twelve feet, and laid with brick or rock, where the same have not already been established by order of the council of some other width, or where the same shall not hereafter*

be ordered of some other width in the order directing the same to be constructed.

SEC. 2. *Be it further ordained,* That all curbstones throughout the city, shall be of four inches in thickness, and said curbstones shall all be smoothly jointed for the depth of at least ten inches, so as to prevent the sand from running through the same, and all corners of curbing at the intersection of streets, shall be made with a curve or circle.

SEC. 3. *Be it further ordained,* That whoever shall violate any of the provisions of this ordinance, shall forfeit and pay for the use of said city not less than one nor more than one hundred dollars.

NO. LI.

An Ordinance Providing for Standing Committees.

SECTION 1. *Be it ordained by the City Council of the City of Quincy,* That the Standing Committees shall be as follows:

1st. An Ordinance Committee, to consist of one Alderman from each Ward.

2d. A Committee on Ferry and Wharf, to consist of one Alderman from each Ward.

3d. A Committee on Markets, to consist of two Aldermen.

4th. An Auditing Committee, to consist of three Aldermen.

5th. A Committee on Gas Lights, to consist of one Alderman from each Ward.

All of the foregoing Committees to be appointed by the Mayor.

6th. There shall also be a Finance Committee, to consist of two, who shall be elected by the Council by ballot.

NO. LII.

An Ordinance Relating to the Compensation of City Officers.

- SEC. 1. Mayor's salary.
2. City Clerk's salary and fees.
3. Treasurer's compensation.
4. Marshal's fees.
5. Engineer's salary and fees.
6. Overseer of the Poor—his salary.
7. Clerk of the Market—his salary and perquisites.
8. Harbor Master's compensation.
9. Fire Warden's do.
10. Sexton's do.
11. Wood Measurer's do.
12. Measurer of Lumber do.
13. City Physician.
14. Superintendent of Schools.
15. Street Commissioner.
16. Aldermen.
17. Restrictions.

SECTION 1. *Be it ordained by the City Council of the city of Quincy,* That the Mayor of said city shall receive a salary of two hundred and fifty dollars per annum, together with such compensation as may be provided by ordinance or resolution of the City Council, for any extraordinary service required of him, or other duty than such as properly belongs to his office of Mayor.

SEC. 2. *Be it further ordained,* That the City Clerk shall receive a salary of six hundred dollars per annum, and the following fees : for entering order levying a special tax, on each lot or part of lot, twenty-five cents; for advertising, in case of special tax, on each lot or part of lot, including sale thereof, in case of sale, twenty-five cents; for each certificate of redemption from such sale, twenty-five cents; for each lot or part of lot deeded, including acknowledgment of deed, seventy-five cents; for issuing license, fifty cents, except ferry licenses, which shall be one dollar; for a license and taking bond, one dollar; for writing each official bond and certificate of qualification, fifty cents; but none of said fees shall be paid

out of the city treasury. He shall, also, receive such fees as may be provided for in the revenue ordinances of the city, or may be allowed by ordinance or resolution of the City Council.

SEC. 3. *Be it further ordained,* That the City Treasurer shall receive as a compensation for his services, one per cent. on all moneys, other than the school moneys, received by him, to be deducted at the time of receipt : and on all school moneys received by him two per cent., to be deducted as aforesaid.

SEC. 4. *Be it further ordained,* That the City Marshal shall receive the same fees for services of process issued from the Police Magistrate's Court, as is or may be allowed by the laws of this State to constables for like services; and also, the same fees in case of arrest without process, as if such arrest had been made on due process; ten per cent. on all fines, forfeitures and penalties for violation of any ordinance, collected without suit, when no special compensation is provided for by such ordinance; for every dog or slut killed by him by authority of any ordinance, fifty cents, to be paid out of the city treasury; for the registry of each dog or slut, twenty-five cents; twenty-five cents for keeping each hog or pig taken up, and fifty cents for the sale thereof; and also, such other fees as may be provided by the revenue or other ordinances of the City Council.

SEC. 5. *Be it further ordained,* That the City Engineer shall receive a salary of seven hundred dollars per annum, and shall pay for all assistance needed in his department; he shall also receive the following fees : for surveying any private lot in said city and marking the corners thereof, one dollar and fifty cents, to be paid by the person requiring the service to be performed; for surveying and marking as above and subdividing the same, an additional fee of twenty-five cents for each subdivision, to be paid by the same person; for designating the line or grade of any street, lane, avenue or alley, on which any person is desirous of building a house, erecting a fence, grading or paving a sidewalk, or where a sidewalk is ordered by the City Council to be made, one dollar for each line and grade so designated, to be paid by the applicant, or owner of the lot : *Provided,* the grade shall have been es-

tablished by the City Council. He shall, also, be entitled to such other fees and charges as may be allowed him by ordinance or resolution of the City Council.

SEC. 6. *Be it further ordained,* That the Overseer of the Poor shall receive a salary of three hundred and fifty dollars per annum.

SEC. 7. *Be it further ordained,* That the Clerk of the Market shall receive a salary of two hundred dollars per annum, and ten per cent. of all fines, forfeitures and penalties collected by him without suit; and also, such other fees and perquisites as may be allowed him by ordinance or resolution of the City Council.

SEC. 8. *Be it further ordained,* That the city Harbor Master shall receive, as a compensation for his services, ten per cent. of all money received by him as wharfage, and fifty per cent. of all fines, forfeitures and penalties by him collected, and in addition thereto, ten per cent. on all sales made by virtue of the ordinance relating to the public landing, said fees to be deducted at the time of collection.

SEC. 9. *Be it further ordained,* That the Fire Warden shall receive a salary of one hundred dollars per annum, and his assistants shall receive such compensation as the city council may, from time to time, determine.

SEC. 10. *Be it further ordained,* That the City Sexton shall receive such compensation, in addition to fees which may be allowed to him by ordinance of the city council, as may be deemed reasonable by the city council.

SEC. 11. *Be it further ordained,* That the City Wood Measurer shall receive as a compensation for his services, such fees as may be provided by ordinance of the city council.

SEC. 12. *Be it further ordained,* That the City Measurer of Lumber and so forth, shall receive, as a compensation for his services, such fees as may be provided by ordinance of the city council.

SEC. 13. *Be it further ordained,* That the City Physician shall receive a salary of two hundred and fifty dollars per annum, which shall be in full for services, as well as medicines used in the discharge of his duties as physician.

SEC. 14. *Be it further ordained,* That the Superintendent of Schools shall receive a salary of two hundred dollars per annum.

SEC. 15. *Be it further ordained,* That the Street Commissioner shall receive a salary of seven hundred and fifty dollars per annum.

SEC. 16. *Be it further ordained,* That each Alderman shall receive as salary two dollars for each stated monthly meeting of the council, when present, and fifty cents for each special meeting of the council, when present.

SEC. 17. *Be it further ordained,* That the salary of no officer herein mentioned, or that of any other officer rendered necessary by the creating of any office hereafter, shall either be increased or diminished during the term for which he is elected.

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ERRATA.

Wherever the words "*Police Constable*" occur on pages 74 and 75, read "*City Marshal*."

On page 108, 5 lines from the top, for the word "*Mayor*," read "*Police Magistrate*."

NO. LIII.

An Ordinance Adopting a Code of Revised Ordinances.

- SEC. 1. Revised Ordinance adopted. Exceptions.
2. Ordinances—how construed. Exceptions.
3. Special exceptions from repealing clause.

SECTION 1. *Be it ordained by the City Council of the city of Quincy,* That the foregoing Revised Ordinances shall be in force, and of full authority within the city, from and after the seventeenth day of April, eighteen hundred and fifty-six. And all ordinances of the city, the subject matter of which is therein treated on and provided for, be and the same are hereby repealed from and after the said seventeenth day of April, eighteen hundred and fifty-six : *Provided*, however, that such repeal shall in no wise affect, or invalidate, any act done, right accrued, offence committed, penalty incurred, prosecution or proceeding commenced before the day and year aforesaid; but all such acts, rights, offences, penalties, prosecutions and proceedings, shall be and remain in the same condition, and of the same force and effect in all respects as if this ordinance had not been made.

SEC. 2. *Be it further ordained,* That whenever, in any ordinance, any subject matter, party, or person is described or referred to in the singular number, and any two or more such subject matters, parties, or persons are equally within the reason and object of the ordinance, the language thereof shall be so construed as to embrace them; and if, in like manner, words are used, importing the plural number, they shall be held applicable, under like circumstances, to any single matter, party, or person referred to; and if the terms of the ordinance refer to males only, they shall be understood, in similar cases, to include females also : *Provided*, that these rules of construction shall not prevail, if there be any special provision in such ordinance, or anything in the context, or in the subject matter thereof, plainly repugnant to such an interpretation.

SEC. 3. *Be it further ordained,* That all ordinances of the city establishing any street or streets, lane, alley or avenue, or establishing, changing or altering the grade of streets, or of any street, lane, alley or avenue within the city, and all ordinances of a purely special character, and local, only, to a particular object, or the intent and purpose of which has been fully accomplished and executed, and which remains, only, as authority for such act or execution, the same not being provided for in the foregoing Revised Ordinances, shall remain in force and unrepealed.

Passed in Council, this seventeenth day of April, A. D. 1856.

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